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H. NILES, EDITOR.

Hæc olim meminisse juvabit.—VIRGIL.

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NILES' WEEKLY REGISTER.

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Hæc olim meminisse juvabit.—VIRGIL.

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We this day commence the 12th volume of the WEEKLY REGISTER, with a fixed resolution to persevere in its old and approved plan, with all the industry and care needful to a continuance of the flattering reputation which is now attached to the work. The editor, always happy in the advice of his friends, and willing to correct and acknowledge an error, if properly informed that he has committed one, has had too much experience in his profession, is too well defended by [what he hopes is] an honest pride, and has too great a regard for the good opinion of his most respectable and still growing list of subscribers, to be diverted from his course by the criticisms of *fools* or falsehoods of *knaves;* each of whom have, for a considerable time past, exerted themselves not a little to injure the REGISTER. The ground that he stands upon enables him to look down upon such, and laugh at their silliness or despise their malignity.

There are two subjects to which the editor wishes at this time to draw the attention of his friends—the first is, in respect to the proposed publication of a volume, or supplement, of *revolutionary speeches, orations,* &c. the other is the much to be desired *general index.*

The former has excited great attention. Letters from all quarters are received urging the editor to attempt the collection—we insert two of them below as specimens of the rest. It is now determined that the attempt shall be made, and those possessed of papers suitable for the work, are earnestly requested to forward them immediately—or, at least, to furnish copies of them. If either of these are desired to be returned, they shall be most carefully handled and faithfully sent back. If this work is accomplished at all, the editor expects to complete it in October or November next. It is to be hoped that the materials will be sufficient to make a volume of the usual size.

In making out the *general index* (a work requiring no little share of patience and perseverance) considerable progress has been made; and it is expected to be completed with the present volume. The arrangement has been adopted after much reflection; and it is believed that, with a little attention to its general principles, it will be hardly possible for gentlemen possessing it to experience any difficulty in *immediately* referring to any article sought for, or to trace any chain of events or things happening at a particular place, their time and prominent feature being also inserted in the index.

Revolutionary speeches, orations, &c.

LETTERS TO THE EDITOR.

Kentucky, 15th February, 1817.

DEAR SIR—In my letter of the 25th December, 1816, I merely adverted to the subject suggested by an anonymous correspondent, respecting the publication of a supplement to contain Revolutionary Orations, &c. Since the date of my letter I accidentally reverted to the communication of your correspondent, and a re-perusal of it gave me stronger impressions than I had at first entertained of its importance, and interest, and essential utility. You ask, "Can the materials be got? Would the publication be sufficiently patronized?" and "respectfully solicit answers to these questions from all the friends of the REGISTER." As a firm friend to the editor and the work, I would respectfully suggest my views upon this interesting subject. I advanced *my opinion* in my last letter to you, but my *reasons* for that opinion were but faintly, if at all, expressed.

That America is one day to be a great, a mighty and a powerful nation; that she will make a figure upon the page of future history, which will dazzle the eyes and win the admiration of future generations; that the track which she is destined to pursue in her political revolution, through the vast system of nations, will be marked by beams of solar-like effulgence, is not merely the visionary whims of a bewildered imagination, nor the theoretical suggestions of a prejudiced mind; but is amply testified by a retrospection of events, as well as by existing appearances. But, sir, in order to propel her in that track of splendid illumination, and secure to her that character of transcendant greatness, much, and very much, depends upon the present generation. To the snail-paced progress of *other* nations to refinement in the arts; to fame in arms; to wealth, grandeur and prosperity, we exhibit a curious and vivid contrast. If we take a restrospective glance at the early conditions of our country, and view her in the limited space of forty years, rising from the humility of colonial dependence, to the proud and commanding and exalted station that she now holds among the nations of the earth, the mind of the republican is struck with the liveliest emotions, and is immediately prompted to enquire, what will be her situation at the expiration of the next forty years.

It is not for me, nor you, nor the most sagacious mind, to tell—But as it has never yet been ascertained, that nations have certain fixed limits presented to them, at the end of which, when they arrive, they must retrograde, we are justified in the conclusion, that if we are but true to ourselves, we shall, before many years, behold America answering the loftiest expectations of her most partial friends, and involving, (if I am allowed the expression) in a complete national eclipse, all those petty nations, that now hoot at her grandeur and envy

her growing prosperity.—Great orators and great statesmen, have been the pride of every country, and the boast of every age, that have been so fortunate as to produce them. In republics, like ours, they are, in a great measure, the props of the political fabric. Our country is yet in her *teens*:—But young as she is, she has produced her orators, her sages, her heroes, statesmen and philosophers, which would do honor to any nation. If England is proud of her Chathams, her Foxes, and her Sheridans, America can boast of a Henry, a Hamilton, an Ames—and it must gladden the heart of every lover of his country, when he views the many splendid constellations that bespangle our present political hemisphere. To keep alive the flame of liberty, we must be careful to keep alive the sentiments and principles that inspired the bosoms of our fathers, and urged them to put on the armor of resistance to curb tyranny and arrest oppression.—There never was a more favorable juncture, for instilling those sentiments, than the present—as your correspondent well observes, "the moment and opportunity may pass and not immediately return—the events of the late war, have imparted a glow of national feeling, for every thing republican."

Characterized, then, as is the editor of the Weekly Register, for a strict and steady devotion to the principles of republicanism, and promulgating them as he does, through the medium of a widely circulating paper, uninfluenced by the malignant motives of party zeal, there is no one better qualified to arrange the materials for such a work, as the one in question, and there is no one more highly deserving of the credit that would result from it, than himself. The medium of conveyance too, would be no small consideration. The Register, from its vast comprehensiveness and unbounded utility, is destined to survive the short-lived productions of the day; and as it already contains records of the lives and achievments of the brave and great, of those, (as I have had occasion before to remark) who *have* fought for their country, of those who have gloriously *died* for her, and of those who still live to defend her, when occasion demands it—I think it essential, that in it should be recorded the effusions of those, whose tongues spoke the eloquence of patriotism, and gave LIFE to those atchievments which have exalted the honor of the republic, and rendered the names of our heroes "immortal in story."

That the materials can be procured, admits not, I presume, of any doubt; and respecting encouragement, I should suppose a very adequate idea could be formed, from the support other supplements have received. If a sufficient number of revolutionary speeches and orations cannot be obtained, why not connect to what you *can* obtain, the most important and useful of the great men of *our* day?

I am very much pleased with the suggestion concerning the publication of subscribers' names at the end of the 12th vol.

The following is from one of the editor's plain, solid friends—written with haste and amidst the bustle of a very extensive business. He will be surprised to see it published—but it contains some valuable hints on a subject that we have now much at heart.

"MY FRIEND—I feel much interested in your excellent plan respecting revolutionary speeches, orations, &c. It must be interesting, for it belongs to a *period* next to the heart of every man who feels, or reflects, what a blessing it is to be an American. Perseverance will ensure more success than you calculate upon. The proud monuments of the ancient republics have failed to perpetuate the memory of men and things as faithfully as it is yet in the power of the American people to record the history of their nation's birth and parentage. I question, too, whether any age or nation has produced more men of equal worth, or who might serve as more perfect specimens of patriotic virtue, than our own, upon that occasion. It would be criminal to neglect the duty that the proposition of your plan now enjoins upon you—posterity will ask the record of this age, and wonder that the immediate successors of the people of '76 should have so degenerated in forty years as to forget to estimate the importance of that period, and the virtues of those who stamped its character. I do not believe that the age will continue to risk the imputation. We have abroad amongst our people a more truly American, and less of a foreign feeling, than we ever could boast of, since my maturity. A bold and faithful assertion of this feeling, such as H. Niles has never failed to express with true republican freedom and simplicity, has contributed to establish for his publication a character that must be the most grateful reward for his application—I feel proud to believe that I know him well enough to know how much he esteems the public sentiment, and this sentiment requires that he should use all possible means to accomplish the proposed undertaking. The materials lie scattered in libraries of private citizens, or are preserved as sacred relicts of departed friends—Call them forth and promise them a station in history and in literature, and you will find that they will be liberally lent for the purpose. I do not know that fortune has bequeathed me any that will be worthy of the collection; but if I find one, I shall feel it a duty that I owe posterity to give it to you."

Relations with Spain.

We have a pamphlet of nearly 80 pages containing "the message of the president transmitting the correspondence between the United States and Spain, relative to the subjects in controversy between the two nations," complying with the resolution of the senate of the 20th instant.

We have given these documents an entire examination, and do not consider them of that important character we were led to expect of them; nor indeed of sufficient interest to induce us to derange the week's business to give them a place in this paper—but they shall be inserted in course. The following brief remarks on the correspondence from the *National Intelligencer* of Tuesday last, may satisfy the general curiosity for the present.

"The documents appear naturally to divide themselves into three chapters.

The first series in chronological order, but second in the order of publication, and arranged under letter B, comprises a continuation of the correspondence between Mr. secretary MONROE and the Spanish minister, the first part of which, it will be recollected, was communicated to congress at their last session, and was then the subject of much public and private remark.

The second series, in the order of time, but last in that of publication (under the letter C.) comprises the discussion and correspondence between our minister in Spain (Mr. ERVING,) and the Spanish minister of foreign affairs, which terminated in a transfer of the negociation to Washington by the Spanish government, on the ground of alleged want of time to enter into it a Madrid.

The third series as to date, but first in the order of publication, and first also in importance as shewing the actual posture of our relations with Spain

comprises the recent correspondence between Mr. Secretary MONROE and DON LUIS DE ONIS, in consequence of the transfer of negociations by the Spanish government to this place. From this correspondence, which appears to have terminated no longer ago than on Friday last, it appears that the Spanish minister, though he has his powers from his government to treat, has, after all, no instructions.

Thus, then, the matter rests. The discussion is unreasonably delayed, not to say evaded, of our existing differences with Spain; and every thing respecting them is in suspense. We do not discover those features of hostility, on the whole view of the case, which report had taught us to expect; but it is quite clear, from the general aspect of these documents, that our relations with Spain are far from being in a satisfactory state.

Van Wart, Paulding and Williams.

The following full, clear and CONCLUSIVE *vindication of the three patriotic mititia-men, who arrested maj.* ANDRE, *against the charges of col.* Tallmadge, *in the house of representatives of the United States, is copied from the New-York* Courier *of the 17th ult. We do not regret that what was never before doubted by the public is now unquestionably proved; but are sorry that a man like col.* Tallmadge *should have so committed himself, while we rejoice in his discomfiture*—IT WOULD HAVE BEEN A LASTING SUBJECT OF REGRET, INDEED, IF HE HAD SUCCEEDED IN ANNIHILATING THE FAIREST PAGE OF THE ANNALS OF FREEDOM—AN INCIDENT TENDING, MORE THAN ANY OTHER WE KNOW OF, TO RAISE UP A NATIONAL CHARACTER, AND TO GIVE TO THE PEOPLE—THE COMMON PEOPLE, A JUST ESTIMATE OF THEMSELVES.

Colonel Benjamin Tallmadge, a member of the house of representatives of the United States, in a speech which he lately delivered in that body, ventured to ascribe to the celebrated captors of Andre, a character the most infamous and detestable; and to their conduct on that occasion, motives the most sordid and odious. He accused those men of being as often in the camp of the enemies of their country, as in our own; of being men, destitute not only of patriotism, but of common honesty and honor; of belonging to that detestable gang usually known by the name of *Cow-boys*. He charged them, in effect, therefore, with being the vilest of thieves and robbers; and in doing so, represented general Washington and the congress as bestowing the public praise and the public bounty upon wretches, utterly base and contemptible, from mere motives of policy. There was in this attempt, an intrepidity worthy of a better cause; but at the same time a rashness which he will never cease to repent. Col. Tallmadge has endeavored to tear the fairest leaf from our history, and to deprive the yeomanry of our country of a theme in which they gloried, and of an example, whose influence is not less extensive and important, than was that of the immortal William Tell. If he has done so, when there was the least possibility that he might be in error; he could never upon reflection justify himself.—But if he has done so upon slight, upon very slight grounds; not from his own knowledge, but from the calumnies of the envious, and the mere suspicions of an enemy, he has incurred a responsibility, which he must meet: a responsibility from which the personal respect with which he may have been heretofore regarded, ought not to protect him, nor general coincidence of political opinion to release him.

Upon what grounds did the colonel accuse these men of being *Cow-boys?* of being as often in the enemy's camp, as in our own? Did he know the facts? If he did, he must have seen them steal; he must have seen them in the enemy's camp! But he does not pretend this. What then is the evidence of these facts? At most, hearsay—which *might* indeed be true—but it might also, be, as in fact it was, false? This evidence was assuredly too loose, for the charge he advanced—against men whose service had certainly been important; and who, absent, were not in a condition to justify themselves. The colonel is a christian.—Did he here observe the golden rule? The colonel has his enemies: how would he feel, if the community should judge of *his* character, by *their* calumnies?

The utmost that can be said in palliation of col. Tallmadge's conduct, is, that he believed what he said to be true. He believed them to be Cow-boy plunderers, because he heard so! He believed they would have permitted Andre to proceed, if he had had more to give them, because Andre *said* he was of that opinion! Upon such grounds the colonel employed the weight of his character, and the authority of his place, to consign to infamy the three men who had saved West-Point and the army!

There is not a court of justice in christendom which would not spurn such evidence. There can therefore be no fear that it will be received by a grateful people.—And although we are fully persuaded that nothing has appeared to put the accused *upon their defence*, yet we proceed gratuitously, to lay before our readers, such conclusive testimony as will satisfy the whole world.

And first, as to these men being *Cow-boys*. Their neighbors would be, of all others, most likely to know the fact, if it were so; and the annexed certificate from men, aged and venerable, will show that they were not even suspected. But the oath of Mr. Van Wart is decisive.

As to the second point, whether the captors of Andre would have released him for a very large bribe, provided he could immediately have paid it, that is a circumstance which could be known only *by themselves*.—And Mr. Van Wart expressly denies the imputation in the annexed affidavit.

The only possible question that can remain is, whether the witness is worthy of credit. To this point, we bring men who have known him from his infancy; men, whose venerable hairs are silvered by age; they speak to us from the verge of the grave; and they unite in the declaration that no man is more entitled to be believed, than *Isaac Van Wart*.

The nature of the case does not admit of testimony more precise, perfect and conclusive. The refutation is solemnly sworn to, and by a man who, in moral and religious deportment during a long life, has had no superior.

Isaac Van Wart's Affidavit.

Isaac Van Wart, of the town of Mount Pleasant, in the county of Westchester, being duly sworn, doth depose and say, that he is one of three persons, who arrested major Andre during the American revolutionary war, and conducted him to the American camp. That he, this deponent, together with David Williams and John Paulding, had secreted themselves at the side of the highway, for the purpose of detecting any persons coming from, or having unlawful intercourse with the enemy, being between the two armies; a service not uncommon in those times. That this deponent and his companions were armed with muskets; and upon seeing major Andre approach the place where they were concealed, they rose and presented their muskets at him, and required him to stop, which he did. He then

asked them whether they belonged to his party? and then they asked him which was his party? to which he replied, the lower party.—Upon which they, deeming a little stratagem, under such circumstances, not only justifiable, but necessary, gave him to understand that they were of his party; upon which he joyfully declared himself to be a British officer, and told them, that he had been out upon very particular business. Having ascertained thus much, this deponent and his companions undeceived him as to their characters, declaring themselves to be Americans, and that he must consider himself their prisoner. Upon this, with seeming unconcern, he said he had a pass from general Arnold, which he exhibited, and then insisted on their permitting him to proceed. But they told him that as he had confessed himself to be a British officer, they deemed it to be their duty to convey him to the American camp; and then took him into a wood, a short distance from the highway, in order to guard against being surprised by parties of the enemy, who were frequently reconnoitering in that neighborhood. That when they had him in the wood, they proceeded to search him, for the purpose of ascertaining who and what he was, and found inside of his stockings and boots next to his bare feet, papers, which satisfied them, that he was a spy. Major Andre now showed them his gold watch, and remarked that it was evidence of his being a gentleman, and also promised to make them any reward they might name, if they would but permit him to proceed, which they refused. He then told them, that if they doubted the fulfilment of his promise, they might conceal him in some secret place, and keep him there, until they could send to New York, and receive their reward. And this deponent expressly declares, that every offer made by major Andre to them was promptly and resolutely refused. And for himself he solemnly declars that he had not, and he does most sincerely believe that Paulding and Williams had not, any intention of plundering their prisoner; nor did they confer with each other, or even hesitate, whether they should accept his promises, but on the contrary they were, in the opinion of this deponent, governed, like himself, by a deep interest in the cause of the country, and a strong sense of duty. And this deponent further says, that he never visited the British camp, nor does he believer or suspect that either Paulding or Williams ever did, except that Paulding was once before Andre's capture, and once afterwards, made a prisoner by the British, as this deponent has been informed and believes. And this deponent for himself expressly denies that he ever held any unlawful traffic or any intercourse whatever with the enemy. And, appealing solemnly to that omniscient Being, at whose tribunal he must soon appear, he doth expressly declare that all accusations, charging him therewith, are utterly untrue. ISAAC VAN WART.

Sworn this 28th day of January, 1817, before Jacob Radcliff.

We the subscribers, inhabitants of the county of Westchester, do certify, that during the revolutionary war we were well acquainted with Isaac Van Wart, David Williams, and John Paulding, who arrested major Andre; and that at no time during the revolutionary war, was any suspicion ever entertained by their neighbors or acquaintances that they or either of them held any undue intercourse with the enemy. On the contrary, they were universally esteemed, and taken to be ardent and faithful in the cause of the country. We further certify, that the said Paulding and Williams are not now resident among us, but that Isaac Van Wart is a respectable freeholder of the town of Mount Pleasant, that we are well acquainted with him, and we do not hesitate to declare our belief that there is not an individual in the county of Westchester, acquainted with Issac Van Wart, who would hesitate to describe him as a man of a sober, moral, industrious and religious life—as a man whose integrity is as unimpeachable as his veracity is undoubted. In these respects no man in the county of Westchester is his superior.

JONATHAN G. TOMPKINS, aged 81 years.
JACOB PURDY, aged 77 years.
JOHN ODELL, aged 60 years.
JOHN BOYCE, aged 72 years.
J. REQUA, aged 57 years.
WILLIAM PAULDING, aged 81 years.
JOHN REQUA, aged 54 years.
ARCHER READ, aged 64 years.
GEORGE COMB, aged 72 years.
GILBERT DEAN, aged 70 years.
JONATHAN ODELL, aged 87 years.
CORNELES VANT TASSEL, aged 71 years.
THOMAS BOYCE, aged 71 years.
TUNIS LINT, aged 71 years.
JACOBUS DYCKMAN, agad 68 years.
WILLIAM HAMMOND.
JOHN ROMER.

CHARACTER OF ANDRE.

The preceding refutation of the charges of colonel Tallmadge was sufficient, perhaps, to put the subject at rest without the annexed statement affecting major *Andre* himself. He is dead, and his faults ought to be forgotten. But as the reputation he obtained (far beyond his deserts), has been brought forward to destroy that of other men, his equals, at least, in honor and honesty—we feel it right to insert the following, from the *Philadelphia True American* of Saturday last.

Mr. Stiles,—As colonel Tallmadge's attempt in the house of representatives to deprive Van Wart and his companions of the credit usually bestowed on them for the arrest of major Andre, has excited considerably, public attention, perhaps the following anecdote, which is derived from the most undoubted authority, may not be uninteresting. Andre was in Philadelphia with the English army, and was quartered at the house of Dr. Franklin, in which the doctor's furniture and very valuable library had been left. When the British were preparing to evacuate the city, *M. de Simetere, who was an intimate friend of Andre, called to take leave, and found him busily engaged in packing up and placing amongst his own baggage, a number of the most valuable books belonging to Dr. Franklin. Shocked and surprised at the procedure, he told him, in order that he might be influenced by the highly honorable conduct of gen. Kniphausen, who had been quartered at gen. Cadwallader's house, that that officer sent for the agent of the latter, gave him an inventory which he had caused his steward to make out on his first taking possession; told him he would find every thing in proper order, even to some bottles of wine in the cellar, and paid him rent for the time he occupied it. Not so with Andre, he quietly carried off his plunder. I have often thought his character owes many of the beams which

*Simetere waa a native of Genoa, who had settled in Philadelphia, and was the person who laid the foundation of the valuable museum now belonging to Mr. Peale.

play round it to the fascination of Miss. Seward's verse and description, of which he was by no means worthy, though there can be no doubt but he was a gallant soldier and in some respects an honest man.

Legislature of South-Carolina.

The journals of the legislature, on the bill to incorporate the Winyaw and Wando canal company, which grants great chartered rights to the persons petitioning, presents us with the two following *protests*, one from a member of each house:

The following protest was made, and ordered to be entered on the journals of the house, viz.

Whereas, I conceive every grant of power, which gives privileges and exemptions to any man, or set of men, which is denied to the citizens generally, dangerous, and in direct violation of the spirit of the constitution—and whereas, the Winyaw and Wando company, is incorporate in perpetuity, and exempt forever from taxation, by a vote of this house; I hereby enter and reserve my protest, in solemn form, upon the journals of this house, grounded upon the following objectionable features in the said bill:

1st. An unlimited power to acquire and hold personal and real estate, thereby creating a monied aristocracy; an aristocracy the most dangerous to the liberties of a free government.

2d. The grant of an exclusive right of steam navigation, to the said company, for ten years after the said canal intended to be made, is completed: which exclusion is a monopoly, and against the spirit of the government.

3d. A perpetual exemption from taxation, and a power to levy upon the citizens, the unusually high interest of twenty-five per cent.

4th. A grant of these privileges and exemptions, in perpetuity, thereby rendering the creature of legislative creation, for ever independent of its creator, and destroying that responsibility which ought to exist in the premises.

JOHN L. WILSON *of Winyaw.*

The following protest was made, and ordered to be entered on the journals of the senate, viz.

Whereas monopolies and perpetual charters, granting exclusive privileges to any body of persons, are hostile to the true interests of any government, and are more especially repugnant to the principles of a republic, unless subject, in some measure, to the controling power of the state:

I do, therefore, solemnly protest against that part of the act, incorporating the Winyaw and Wando canal company, which deprives the state of the right to tax the property of the said company, until the members of the same shall, from the profits of their establishment, receive the amount of their capital, and the annual interest of fourteen per cent. on the same.

First. Because the said exemption amounts, in effect, to a perpetual exemption from taxation; and the clause deprives the state of the controling power that they ought to have retained over a company, who will hold under its control, the inland navigation of a considerable part of the state of South-Carolina.

Secondly. Because, as there is no limitation to the amount of the capital of this company, a privilege is given, by which property, to an unlimited amount, may be holden by individuals, without the state possessing the right, when it may be deemed just and expedient to impose on such property, a part of the burdens of the country.

CHAPMAN LEVY.

District tonnage of the United States.

Letter from the secretary of the treasury, transmitting the annual statement of the district tonnage of the United States, on the 31st December, 1815; with an explanatory letter from the register of the treasury.—January 17, 1817. Read and ordered to lie upon the table.

Treasury Department, January 16th, 1817.

SIR,—I have the honor to transmit the annual statement of the tonnage of the United States, on the 31st day of December, 1815; with a letter from the register explanatory of the same.

I have the honor to be, with the highest respect, sir, your most obedient servant,

WM. H. CRAWFORD.

The honorable the speaker,
House of representatives.

TREASURY DEPARTMENT,
Register's office, January 9th, 1817.

SIR—I have the honor to transmit the annual statement to the 31st December, 1815, of the district tonnage of the United States.

	Tons. 95ths.
The registered tonnage, as corrected at this office, for the year 1815, is stated at	854,294 74
The enrolled and licensed tonnage is stated at	475,665 43
The fishing vessels at	38,167 57
Amounting to	1,368,127 78
The tonnage on which duties were collected during the year 1815, amounted as follows:	
Registered tonnage paying duty on each voyage	694,754 59
Enrolled and licensed tonnage employed in the coasting trade, paying an annual duty	374,836 13
Fishing vessels, the same	33,222 69
	1,102,813 26
Note.—Duties were also paid on tonnage owned by citizens of the United States, engaged in foreign trade, not registered, 11,709 98	
Ditto, coasting trade 512 47	
	12,221 45
Total amount of tonnage on which duties were collected	1,115,034 71
The registered tonnage being corrected for the year 1815, according to the mode prescribed for the government of the collectors of the several districts, as stated in the communication made to congress the 27th February, 1802, and in conformity with the intimation contained in the register's letter of the 7th December, 1811, may be considered nearly the true amount of that description of tonnage	854,294 74
The enrolled and licensed tonnage is stated at the amount upon which the annual duty was collected in 1815, on that description of tonnage, and may be considered as nearly the true amount	374,836 13
Fishing vessels the same	33,222 69
The district tonnage of the United States is stated at	1,262,353 61

Of the enrolled and licensed tonnage amounting, as before stated, to 475,665 44 tons there was employed in the whale fishery 1,229 92 tons.

I beg leave to subjoin a statement, marked A, of the tonnage for the year 1815, compared with the amount thereof as exhibited in the preceding annual statement for 1814; with notes in relation to the increase of the registered and enrolled tonnage, respectively, in 1815. By this statement it appears that the total amount of new vessels built in the several districts of the United States, in 1815, was

Registered tonnage	106,079 33
Enrolled do.	48,545 06
Total amount *Tons*	154,624 39

I have the honor to be,
Very respectfully, sir,
Your obedient humble servant,
JOSEPH NOURSE, Register.

Hon. Wm. H. Crawford,
Secretary of the treasury.

ABSTRACT

Of the tonnage of the shipping of the several districts of the United States, on the last day of Dec. 1815.

DISTRICTS.	REGISTERED.		ENROLLED & LICENSED.		LICENSED UNDER 20 T's		Aggregate tonnage
	Permanent.	*Temporary.*	*Permanent.*	*Temporary*	*Coas. trade*	*cod fishery*	
	TONS 95	TONS 95	TONS 95	TONS 95	TONS 95	TONS 95	TONS 95
Portsmouth, N. H.	23,876 79	655 64	4,398 20	189 02	205 17	420 86	29,745 78
Newburyport, Mass.	15,003 62	2,370 26	6,975 25	- -	243 18	329 68	24,922 09
Gloucester	2,585 85	323 28	4,110 49	24 55	264 38	2,628 88	9,937 58
Salem	22,467 50	4,484 39	7,834 41	294 25	109 00	264 91	35,454 56
Ipswich	30 01	- -	1,361 82	65 74	34 11	284 37	1,776 15
Marblehead	2,534 31	705 29	10,833 65	287 33	223 04	- -	14,583 67
Boston	87,091 40	18,231 48	27,123 69	2,830 44	744 87	986 84	137,008 87
Plymouth	10,261 15	579 13	9,980 93	192 81	123 81	125 89	21,263 87
Barnstable	565 63	978 63	8,759 29	- -	505 87	134 91	10,944 48
Nantucket	9,038 35	322 28	4,832 68	178 48	345 53	- -	14,717 42
Edgartown	84 24	212 57	621 84	- -	74 29	- -	993 04
New-Bedford	13,711 29	2,279 31	8,495 11	25 73	266 30	26 33	24,804 17
Dighton	2,380 50	3,418 93	3,838 59	- -	60 92	- -	9,699 69
York	678 44	- -	482 47	231 30	13 62	64 49	1,470 42
Kennebunk	9,564 58	987 16	1,087 62	- -	14 20	88 09	11,741 70
Saco	2,754 10	1,063 11	1,750 05	- -	11 43	55 38	5,634 12
Portland	21,014 51	4,592 72	5,817 54	126 01	581 33	882 23	33,014 44
Bath	14,555 50	2,352 16	4,755 62	- -	262 59	425 64	22,351 61
Wiscasset	13,575 22	638 57	3,380 87	- -	47 92	787 00	18,429 68
Waldoborough	5,071 12	2,431 43	10,964 07	- -	287 24	1,129 07	19,882 93
Penobscot	6,976 52	3,667 81	8,173 20	- -	496 23	730 12	20,044 01
Frenchman's bay	1,420 60	912 04	2,785 92	- -	318 15	375 75	5,812 56
Machias	474 25	495 72	1,057 48	- -	80 55	245 21	2,353 31
Passamaquoddy	796 49	5,601 39	597 15	162 83	217 65	- -	7,375 59
Vermont							
Newport, R. I.	7,852 56	1,765 28	2,559 39	172 33	359 50	6 17	12,715 33
Bristol	5,219 61	874 22	783 66	- -	66 44	- -	6,944 03
Providence	10,151 58	3,156 37	5,117 18	- -	113 69	- -	18,538 87
New-London, Con.	5,574 71	1,368 45	5,489 01	507 18	446 45	284 00	13,669 85
Middletown	14,167 43	2,969 88	7,944 26	99 61	769 57	- -	25,950 85
New-Haven	8,003 53	725 11	4,464 74	145 65	297 94	- -	13,637 12
Fairfield	662 81	- -	6,022 65	- -	161 12	- -	6,846 68
Gennessee, N. Y.							
Champlain	761 26	- -	- -	- -	- -	- -	761 26
Hudson	838 31	462 31	2,032 90	- -	116 05	- -	3,449 62
New-York	161,705 45	15,476 13	96,551 78	- -	5,099 11	36 00	278,868 52
Sag Harbor	740 55	67 00	2,439 79	2,439 79	164 41	114 89	3,526 74
Oswego	295 44	- -	195 13		13 76	- -	504 33
Niagara							
Buffalo Creek							
Sackett's Harbor	317 60	- -	- -	- -	- -	. .	317 60
Perth Amboy, N. J.	1,871 64	- -	7,242 80	127 73	684 43	. .	9,926 70
Little Egg Harbor	- -	- -	1,580 46	- -	37 59	. .	1,618 10
Burlington	- -	- -	1,337 51	26 22	228 92	. .	1,592 70
Bridgetown	382 11	- -	12,220 91	243 08	1,647 49	. .	14,493 64
Great Egg Harbor	70 78	140 74	3,288 09	- -	70 29	. .	3,569 86
Philadelphia, Penn.	68,649 12	8,300 67	17,601 89	2,273 78	2,484 10	. .	99,309 66
Presque Isle	83 49	165 65	- -	- -	- -	. .	249 19
Wilmington, Del.	660 79	644 47	7,464 50	79 10	742 11	. .	9,591 07
Baltimore, Maryland,	77,190 19	9,477 02	17,640 43	- -	2,829 68	. .	107,137 37
Chester	- -	- -	1,709 31	- -	103 66	. .	1,813 02
Oxford	- -	- -	11,425 50	- -	1,778 67	. .	13,204 22
Vienna	1,165 65	57 06	13,097 66	- -	2,040 31	. .	16,360 73
Havre de Grace	- -	- -	1,528 81	- -	107 86	. .	1,636 72
Snowhill	271 25	- -	5,943 25	244 86	904 54	. .	7,364 00
Annapolis	- -	- -	1,806 41	- -	411 37	. .	2,217 78
Nottingham	- -	- -	1,410 54	- -	63 24	. .	1,473 78
St. Mary's	- -	- -	1,710 70	- -	289 74	. .	2,000 49
Georgetown, Col.	2,239 12	137 83	3,704 82	61 70	651 49	. .	6,795 11
Alexandria	6,308 37	2,594 80	4,769 79	169 81	1,116 24	. .	14,959 16
Hampton, Virginia	- -	- -	1,148 60	27 15	371 41	. .	1,547 21
Norfolk	14,677 12	6,559 39	8,574 51	3,097 59	1,796 41	. .	34,705 12
Petersburg	1,402 10	592 15	3,163 30	256 35	497 57	. .	5,912 07
Richmond	3,561 16	1,476 85	5,268 51	712 11	49 67	. .	11,068 40
York-Town	- -	121 16	503 35	- -	108 67	. .	733 26

ABSTRACT—continued.

DISTRICTS.	REGISTERED.		ENROLLED & LICENSED.		LICENSED UNDER 20 T's		Aggregate tonnage
	Permanent	*Temporary.*	*Permanent.*	*Temporary*	*coast. trade*	*cod fishery*	
	TONS 95	TONS 95	TONS 96	TONS 95	TONS 95	TONS 95	TONS 95
East River	224 93	100 30	1,240 27	. .	223 25	. .	1,78 80
Tappahannock	925 25	491 63	4,359 34	732 28	776 47	. .	7,285 07
Yeocomico	93 88	. .	1,053 36	. .	418 88	. .	1,566 22
Dumfries	. .	. .	1,325 06	. .	418 77	. .	1,743 83
Folly Landing	789 58	. .	1,486 90	. .	1,171 17	. .	3,447 70
Cherrystone	136 60	. .	810 39	. .	661 26	. .	1,608 30
South Quay	. .	. .	34 80	. .	55 52	. .	90 37
Wilmington, N. C.	3,477 03	9,953 87	695 68	. .	247 71	. .	14,374 39
Newbern	2,443 92	582 86	1,696 43	. .	326 57	. .	5,049 88
Washington	854 66	624 75	1,684 00	677 33	568 33	. .	4,469 17
Edenton	633 10	570 22	3,890 90	82 50	989 45	. .	6,076 27
Camden	1,973 92	2,400 05	2,026 00	. .	785 94	. .	7,186 01
Beaufort	. .	1,001 91	294 70	. .	241 10	. .	1,537 76
Plymouth	758 54	265 04	497 27	. .	69 24	. .	1,590 14
Ocracock	56 56	229 79	496 26	. .	6 24	. .	788 89
Georgetown, S. C.	318 82	108 92	435 34	122 59	. .	. .	985 77
Charleston	15,619 42	8,454 08	10,597 79	928 21	257 47	. .	35,857 07
Beaufort	. .	. .	296 14	. .	30 39	. .	326 53
Savannah, Georgia	6,029 09	4,542 08	1,836 80	1,287 12	45 57	. .	13,740 71
Sunbury						. .	
St. Mary's	203 94	73 90	170 70	. .	49 68	. .	498 37
Brunswick	404 25	. .	477 33	101 69	66 32	. .	1,049 64
Erie, Ohio	27 05	. .	345 38	. .	46 70	. .	419 18
Sandusky						. .	
Detroit, Michigan	159 12	. .	. .	. .	. .	. .	159 12
New-Orleans, Lou.	5,331 46	8,434 92	2,315 64	261 84	860 45	. .	17,204 46
Teche						. .	
Mobile, Mississippi,	224 71	. .	20 81	. .	125 29	. .	370 86
Total	702,023 22	152,271 52	445,760 07	17,047 15	40,598 51	10,427 26	1,368,127 78

Treasury Department, Register's office, January 9th, 1817,
JOSEPH NOURSE, *Register.*

Recapitulation of the Tonnage of the United States, for the year 1815.

The aggregate amount of the tonnage of the United States, on the 31st December, 1815, is stated at 1,368,127 78

Whereof—

Permanently registered tonnage	702,023 22	
Temporary do. do.	152,271 52	
Total registered tonnage		854,294 74
Permanent enrolled and licensed tonnage	445,760 07	
Temporary do. do.	17,047 15	
Total enrolled and licensed tonnage	(a)	462,807 22
Licensed vessels under 20 tons employed in the coasting trade	40,598 51	
codfishery	10,427 26	
Total licensed tonnage under 20 tons	51,025 77	
As above		1,368,127 78

(a) Of the enrolled and licensed tonnage, there were employed

in the coasting trade	435,065 87
whale-fishery	1,229 92
cod-fishery	26,510 38
As above	462,807 22

TREASURY DEPARTMENT,
Register's office, January 9th, 1817.

JOSEPH NOURSE, *Register.*

To the preceding is attached a table headed, *"Dr.—the general statement of tonnage accounts, shewing the increase of tonnage from the 31st of December, 1814, to the 31st of December, 1815, inclusive—Cr."* This shews a difference in favor of the *real* increase of registered tonnage of 106,486 tons, and in favor of the enrolled of 43,782 tons, for the year 1815.

REGISTERED TONNAGE.

By the returns of the collectors during the year 1815, there were built 134 ships, 193 brigs, 198 schooners and 27 sloops, equal to 106,079 tons; and captured in the late war and condemned in 1815, 50 ships, 78 brigs, 42 schooners and 4 sloops—34,386 tons, registered.

By the same returns—there were sold to foreigners 10 ships, 11 brigs, 38 schooners, and 6 sloops—9,227 tons; lost at sea, 15 ships, 33 brigs, 32 schooners, and 6 sloops—14,241 tons; captured in he late war, by the return of 1815, 12 ships, 19 brigs, 14 schooners and 4 sloops—8,260 tons; and condemned as unseaworthy, 2 ships, 9 brigs, and 5 schooners—2,350 tons.

ENROLLED TONNAGE.

By the collectors' returns for 1815, there were built 2 ships, 31 brigs, 482 schooners, and 257 sloops—48,545 tons; and captured in the late war and condemned in 1815, 6 brigs, and 13 schooners—2,213 tons, enrolled.

And sold to foreigners, 1 ship, 1 schooner, and 1 sloop—355; lost at sea 39 schooners, and 2 sloops—3,262 tons; captured during the war, 1 brig, 35 schooners and 13 sloops—2,805 tons; condemned as unseaworthy, 7 schooners, 13 sloops—1,053 tons.

The amount of tonnage captured in the late war and condemned in 1815, is—

Registered . .	34,386	
Enrolled . .	2,213	
		36,599
Captured by the enemy, by the returns of 1815—		
Registered . . .	8,260	
Enrolled . . .	2,305	
		10,565
Difference .	*Tons*	26,034

Massachusetts' Claims.

Letter from the acting secretary of war transmitting information relative to the claims of the state of Massachusetts for payment of the expences of the militia, ordered out by the executive authority of the state, during the late war. February 20, 1817.—Read and ordered to lie on the table.

Department of War, Feb. 18th, 1817.

SIR—In obedience to the resolution of the house of representatives of the 14th inst. directing the secretary of war "to lay before the house any information in the possession of that department relative to the claims of the state of Massachusetts for payment of the expences of the militia ordered out by the executive authority of the state, during the late war," I have the honor to transmit the enclosed documents. That marked A, is a copy of the communication, with the accompanying documents, made to this department by James Lloyd, and William H. Summer, esquires, agents on the part of the state of Massachusetts. B, is a copy of the answer given by this department to that communication; and C, is a copy of a communication made by the secretary of war to the chairman of the military committee of the senate, on the 7th of February, 1815, with the accompanying documents.

I have the honor to be, with great respect, your obedient servant, GEO. GRAHAM,
Acting secretary of war.

The hon. Henry Clay, speaker of the house of representatives.

(A.)

SIR—In the conferences we have had the honor to have with you, in relation to the claim of the state of Massachusetts, for expences incurred, and supplies furnished, for the service of the militia of that state, for the general security and protection during the late war, with the adjustment of which claim we have been charged, it has been our wish, as we have before made known to you, to conduct the examination and settlement of the account with the respect and deference always due to the highest public functionaries of the nation, and to pursue that course, which, while it would do justice to the state we on this occasion have the honor to represent, would also best comport with the convenience and wishes of the executive of the United States, to whom, in the first instance, we considered it most proper to apply.

We understand, from the laws passed in the years 1795 and 1814, authorizing under certain circumstances, detachments of the militia on the requisition of the president of the United States, that the expences incurred, in consequence of such requisitions, have been liquidated and paid by the general government; and that where the militia has been ordered by state authority into service, without the request of the president, and the occasion has, in the opinion of the executive of the United States, justified the call for their services, that a subsequent recognition has been considered as equal to a previous requisition; and that on this construction of the powers given, by the laws before mentioned, to the president, very large claims have been admitted and paid, in whole or in part, either by advances or on final adjustment, to several of the states who have presented them.

On this ground, therefore, and justly presuming on the distribution of that equal and exact justice to all the members of this great family of states, which alone could furnish the vital principle of their union, and which undoubtedly will govern the conduct of the general goverument on this and on all other occasions, we have hoped, that the account we had the honor to present would have been admitted, at least to an investigation on its merits; and that, as the simplest and most easy method of examination that presented itself, we should be allowed to take up the several items which composed it in succession, in the order in which they had been arranged, and to offer them for admission or rejection, accordingly as the judgment or sense of duty of the head of the department, or the proper officer designated for the purpose, might determine: not expecting that a claim for any expence would be allowed, unless it were shown, that the occasion called for its being incurred—that the service was both effectually and economically rendered, and that it has been fully and honorably paid for by the state.

This course we regret extremely to find is not acceptable to the executive, if we were correctly impressed by the conversations which we had the honor to hold with you, the result of which, we understand to be, that the expences not having been incurred under the authority of the United States, and the governor of Massachusetts, having omitted to place the militia of the state under the officers of the general government, no account of this kind could be received for examination at the depart-

ment, without an antecedent recognition by the president of the United States of the several cases under which the expence arose.

We cannot but lament this course being now taken, because we do not learn that it has been asked in any other instance to be pursued so much in detail, as we now presume it to be required, in reference to the claim of Massachusetts; *because* it will unavoidably entail a considerable delay in classing anew the various expences of the same bodies of militia, as they were at different times called into service, under separate heads or occasions; and may require a minuteness of evidence in support of the urgency of their being employed, which the notoriety of the occasions at the time they occurred, and the line of conduct understood to be adopted towards other claims, was not supposed to require; and which evidence is not, even now in all its parts, probably in existence as a matter of record, and must therefore, in many instances, still remain to be collected in an official or authentic shape, if this rigor in point of form should be adhered to.

It is undoubtedly true, and neither a wish is felt, nor a direction been received to conceal the fact, that a difference of opinion has unfortunateiy existed between the general government of the United States and the government of Massachusetts, respecting the constitutional powers in the former in relation to the control of the militia of the several states in the union; and it is greatly to be deprecated that a difference in the construction of constitutional powers should ever excite other sentiments than those of a reciprocal respect, and a mutual disposition, after dispassionate consideration, to amend what may be defective and to provide a remedy for the evils of the future, from the inconveniencies of the past; and, more especially should this be the case in a government founded on the choice of enlightened freemen, to secure the enjoyment of rational liberty to themselves and their posterity—and the chief preservation of the purity and consequent duration of which must spring from the jealous vigilance with which all questionable expansions of power ought to be viewed, either on the part of the general government or that of the states—and which disposition, therefore, instead of meeting the frowns, would appear to be entitled to the support and encouragement of every friend of the present form of government, and who would wish to maintain and transmit it, resting on its existing foundations, pure and unimpaired to distant generations. And in a more particular manner, should this disposition of mutual respect and deference for conflicting opinions prevail, where the event has happily proved the evils apprehended to flow from them to be those of imagination, rather than of reality—and when the prosperous circumstances of the country admit the people of the United States, the legitimate fountain of all power, peaceably to adopt that corrective which their ardent desire to secure and preserve their own rights, and those of the general and state governments, as defined by their respective constitutions, will undoubtedly induce them to apply, should they consider the occasion as requiring it.

The point in discussion, that of the constitutional control of the militia, and the extent to which it has been given to the general government, or is retained by the states respectively, has from the first adoption of the federal constitution, been perhaps a question more doubtful and interesting in its nature, and has given rise to a greater diversity of opinion among the most eminent statesmen of the country and probably allows of a more honest difference of sentiment, that can be brought into controversy under any other provision of that constitution.

Without meaning to sustain or scarcely to enter into the argument, it is on the one hand conceded, that a denial of the *construction* given by the general government, would lessen the powers, and under certain circumstances materially impair the strength of the nation, while on the other, the admission to the fullest extent, of the doctrines, that the executive of the union is to be the only judge of the emergencies, under which the militia is to be brought into the service of the United States, at the time and in the manner which it might think expedient; and that when so brought into service, the militia can by the junction of a large number of their men, to a mere skeleton of regular troops, be in fact officered by the United States, and that the executives of the several states, contrary to their own belief in the existence of such emergencies, would be bound to bow before this tribunal, erected in the breast of a single individual, and to yield implicit obedience to such opinion, must, after the surrender of the several states, of the principle sources of their revenue, place them entirely at the mercy or disposition of any future tenant of power; strip the individual states of their physical, as well as fiscal force, and would scarcely leave them in possession of even the remnant of that sovereignty, and self-dependence, which some of them undoubtedly supposed they had retained; but it is repeated, it is not intended to discuss this question, further than to prove, that with the most correct views, different sentiments may honestly and intelligently exist, with regard to it: and that at any rate, the opinion adopted for the time by Massachusetts, was one, fairly and deliberately formed by the governor of a large and respectable state; himself a statesman of forty years' experience, in the highest offices in the country, and with the advice of his council; was corroborated by a judicial tribunal commanding the highest respect where known, and who are by the constitution of the state, bound to give their opinion "upon important questions of law, and upon solemn occasions," to the executive; was an opinion confirmed by the legislature, and sanctioned by the people, by their reiterated support and election to office of the same public agents, who adopted and avowed it; an opinion, therefore, entitled to great respect under all circumstances, and meriting every consideration which the most deliberate judgment could give to it, and perhaps requiring the settlement of a point so interesting in itself, and so open to controversy, in the mode pointed out by the constitution, by an amendment explanatory of its powers, as applied to the rights of the general government, and the states, in the employment of the militia, in the cases contemplated by the constitution.

This course has already been recommended by the executive of a highly respectable state, (South-Carolina,) not interested in the immediate question to be adopted by its legislature, and seems to be that best founded in reason and expediency and the one which might be attended with the happiest effects hereafter, in preventing misconstructions or collisions of opinion, when they might become injurious to the public safety, if the subject were left in its present unsettled state. At any rate, in a government yet in its infancy—in a government of experiment, which had never before tested, or attempted to exercise its powers, in a foreign war, and under a state of public sentiment,

unprecedented in former times, it cannot be wished or expected by any part of the community, that a difference of opinion relative to the extent of constitutional powers, sanctioned as was that formed by the state of Massachusetts, whether correct or erroneous in itself, can be suffered after the services have been rendered, and the protection wanted, in a great measure, obtained, to remain as a lasting source of irritation, or to operate as a pecuniary mulct upon a brave and free people, *who* first reared the standard that ultimately, by the common efforts of the nation, waved triumphantly over the established independence of the country, and who in that war, as well as in the last, furnished their full proportion of those who filled its armies and fought its battles.

Still less, if possible, can it for a moment be believed, that a claim thus founded on a necessary and unavoidable defence for the general safety, against a common enemy, and not amounting in the whole to one third of the sum which is contributed towards the revenues of the United States in a single year, by a single port of the state that advanced it, can be retained as a lure for political subserviency, or its liquidation be withheld for the advancement of party purposes; a doctrine too discreditable to receive a moment's confidence, and requiring from the undersigned an apology for its introduction, only to be derived from the public avowal and recommendation that has been made of it, and the expression of their perfect conviction, it will meet, both from the high officers of government, and from the people of the United States, the reprobation it deserves.

We cannot, therefore, but feel confident that the rightful and constitutional remedy before noticed, if it should appear, in the good judgment of congress, to be needful, will be resorted to, and that the claim of the state of Massachusetts will be admitted and repaid by the general government. Under the influence of these impressions, we beg leave to state, as the origin of this claim, and as matter of notoriety, that at the commencement of the war, the regular troops, perhaps not exceeding, at the time, a man to a mile of the exposed sea-coast of Massachusetts, were, at a very early period, withdrawn to the northern frontier; that after the first year of the war, the maritime border of the state was frequently threatened by the enemy; that a part of it was actually invaded, and a very commanding naval and military position in it, unassailable when once fortified and possessed, without a superior naval force, except with great and nearly inevitable destruction, was secured and retained by the enemy; thus cutting off and keeping in some degree, under his control, a large division of the state, depriving it of the power of military co-operation, or of a safe and easy intercourse with the capital or the government; that the harbors along the cost were frequently annoyed—expeditions for further conquest menaced, and preparations made for effecting it: that several ports in the state were entered—the vessels in them, in some instances, burnt: that small, defenceless towns were laid under contribution; that predatory incursions and alarms constantly prevailed; and that the security and protection of the inhabitants of the state, from further aggression and insult, were derived from the services of the militia, in the way in which they were rendered, and in which, from various circumstances, there is reason to believe, the defence of the state, by the militia, could alone have been made effectual.

The circumstances relative to the calls for the service of the militia having been communicated to congress by the department, and for the greater part printed, we will not trespass upon your time further, in relation to them, than to remark, that the first call was made in consequence of the letter of the honorable William Eustis, written prior to the declaration of war; and when that event still remained suspended in a very doubtful scale, and that none of the constitutional emergencies did, at the time, exist, or were expected by the government of Massachusetts speediiy to occur, nor did they occur, to any extent of importance, until two years after the request of general Dearborn, on the 22d of June, under the authority given him on the 12th of that month. But shortly after the declaration of war, to wit, on the 3d of July, 1812, the executive of Massachusetts issued the general order, (No 1,) which accompanies the present communication, for the purpose of placing the militia of the commonwealth in the most effective possible state, "exciting their love of country, and exhorting them to be obedient to the provisions and intentions of the laws in every respect, and to be ready, with alacrity and effect, to defend their constitutional rights and liberties," and apprising them, in case of invasion, or imminent danger thereof, they were to march without delay, and when in the actual service of the United States, to be placed under the orders of the president thereof. This order was sent, the same day it was issued, to general Dearborn, *and*, shortly after this, a body of militia, consisting of three companies, was placed in the service of the United States, at Eastport, under the orders of general Boyd.

The next request received by the governor was in July, 1814, when the probability of attack having increased, the general requested eleven hundred men might be ordered out for the defence of the more exposed parts of the sea coast. This order was complied with; the troops placed under the authority of the United States, and the service performed—part of the said troops, to the number requested by general Dearborn, having been stationed at Castine and Machias, prior to the capture of those places by the enemy.

On the 5th September, 1814, general Dearborn again made a requisition on the governor of Massachusetts for a body of militia, when the general order No. 2, herewith presented, was issued on the 6th of the same month, and every measure taken to guard against the attacks of the enemy. A considerable body of the elite of the militia, from the interior, was ordered into immediate service, and marched and encamped on the sea board, and the whole of the militia were enjoined to hold themselves in constant readiness, and were called upon "by every motive of love of country, of honor, and sympathy for their fellow-citizens, who might be suffering the perils of war, to maintain the most perfect state of preparation, and to move, when called to the scene of action, with the utmost celerity." But the difficulties which had arisen, and the complaints that had been made, from placing the militia in the immediate service of the United States, under United States' officers, on former occasions, had been such as to induce the belief it would be inexpedient, if not hazardous, to repeat the order without having the power to enforce it. An arrangement was, however, subsequently made with general Dearborn, to place part of the militia in the forts of the United States, in the harbor of Boston, under the direction of his son, general H. S. Dearborn, and the very efficient body of troops before mentioned were stationed in

the vicinity of the forts to reinforce and support them

A fourth requisition was made by general Dearborn to guard the prisoners at Pittsfield, but the same causes operated, as in the other case, in addition to the belief that in the midst of a thickly settled population, the danger of escape from the existing guard, or of insurrection, did not require a compliance with the call: the event verified the soundness of opinion.

These are all the calls for the militia which are known to have been made, and it is believed it can be shown that the omission to place the militia in the service of the United States was a matter of form rather than of fact; that the protection of the country was never for a moment abandoned, and that the militia were assembled and in readiness to act whenever emergencies appeared to require them; that arrangements adopted were judicious, and, in several instances, predicated upon the wishes of the officers of the United States, or of those who had the confidence of the general government, or who were at the time, or subsequently, taken into its service, as will appear from the correspondence of generals Dearborn, King, and H. Dearborn, and of commodore Baidbridge and captain Hull of the navy, presented in the papers marked 3, 4, 5 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and also from the letter of the honorable Wm. Jones, late secretary of the navy.

It can be demonstrated, also, that the services of the militia, so rendered, were both frugal and effective, as large bodies of troops were never unnecessarily called into service, nor retained in it longer than the occasion required—that the constant appearance, and probable knowledge of preparation and readiness to repel attack, prevented the advances or further depredation of the enemy; while the propriety of this mode of defence has been admitted, as we conceive, not only by the correspondence before referred to, and by the payments made under similar circumstances to other states, but also by the dictum of a former secretary of war, promulgated at a period when, from the absence of all causes of irritation, the most dispassionate judgment could be formed, "that it is lawful for the governor of a state, when the state may be invaded, or in imminent danger of invasion, to be the judge of the degree and duration of the danger, and to apportion the defence to the exigencies that presented," as appears from the report of general Dearborn, made to the house of representatives of the United States, February 3, 1803; and also from the opinion of general Knox, when in the same office, as expressed in his letter of June 10th, 1793, to the governor of Georgia.—And the utility and necessity of the said services of the militia, as they were rendered, is still more fully and strongly confirmed by the fact that, when so ordered into service, they received the recognition of general Dearborn, by the supplies of muskets and munitions of war he, in certain cases and to a considerable extent, furnished them with on loan, or otherwise, from the stores of the United States; and which had been requested of him expressly for the use of such bodies of militia ordered into service for the general defence of the seaboard.

The foregoing embraces the chief outline of the claim we have been instructed to present, and we proceed now, in compliance with the suggestion of the department, to state that so far as we have at present at command the means of judging, it may be classed under the following heads, to wit:

1st. For the expences of the militia who were called out by their respective officers, in consequence of an attack, or threat, to lay small towns and defenceless places under contribution; or who rallied suddenly against the depredatory incursions of the enemy's ships and barges, most of whom were in service only a few days at any one time, having been discharged as soon as the danger ceased; and for the pay and subsistence of small guards and detachments, ordered out at the suggestion of general Dearborn for the defence of several small villages whose shipping and property were much exposed.

2d. For the payment and supplies of the militia, who were detached and ordered into the service of the United States, from the time they were mustered in their several companies until they arrived at their places of rendezvous; and for the rations and supplies furnished them, after they were received into the service of the United States, none having been provided for them at the time.

3d. For the pay and supplies of the militia marched for, and employed in the defence of the Penobscot frontier, after the country, east that of river, was taken possession of by the enemy.

4th. For the expence of the militia who were detached, agreeably to the request of the superintendent of the military district, and offered to be placed in the service of the United States, organized according to law, which offer was accepted but a short time before the period for which they were detached had expired; by reason of which, and the inability of the contractor on the station, to furnish the supplies, they were retained in the service of the state.

5th. For the expence of the militia at Portland, which were called into service at the request of the committee of safety of that town, at a time when the enemy's fleet, with troops on board, was lying on the coast; when great alarm existed in the town, and an attack was momently expected; when the principal reliance for the defence of the town was on the militia; and when the sea-coast must have been protected by them, or abandoned to the will of the enemy.

6th. For troops employed for the defence of *important* exposed places, some of which were attacked, and for the defence of which no troops were requested to be placed in the service of the United States.

7th. For troops which at the request of the committee of safety of various towns, in time of alarm, were marched in for the defence of those places, more than those which were placed, or offered to be placed in the service of the United States, for the defence of such places, and who were immediately discharged on the cessation of danger.

8th. For troops that were called in for the defence of Boston, besides those placed in the forts of the United States, and who were stationed in its vicinity to reinforce the garrisons of those forts, in case of attack, and to prevent the enemy from obtaining possession of the heights adjoining, which commanded the forts, the town, and the United States' navy yard.

9th. For troops which, at the request of the several naval commanders at Boston and Portsmouth, and at the suggestion of general Dearborn, were called out for the protection of the United States' 74 gun ships building at those places, and for the defence of the ships of war of the United States, which were chased into port: part of the evidence, in reference to which, may be seen in the letters of general Dearborn, commodore Bainbridge, and

captain Hull, and of adjutant general Brooks, who, in consequence of the directions of the executive, promptly complied with the requests made—ordered some of the most effective and valuable corps in the state into service, and informed the commodore that the governor was "fully disposed to do every thing in his power to aid in defending the navy yard, and the ships in the harbor, which his authority by the constitution would admit."

10th. For an allowance to the militia for arms and clothing, and the use of their horses when in service.

11th. For the cost of procuring small arms, which were distributed among the militia—of mounting and transporting pieces of heavy ordnance—purchasing ammunition, tents, military stores, and equipage. For barracks built and hired for the troops, and damage done to individuals in their property, by erecting forts, and occupying their buildings as barracks.

12th. For the expences of materials furnished for building platforms, magazines, furnaces, pickets &c. in forts and batteries erected, in conformity with the advice and suggestions of naval and military commanders of the United States.

13th. For the pay and supplies of the militia, who were employed in fatigue duty in repairing, extending, and strengthening the United States' forts in various places, and for the cost of the materials therefor—and for shot, and other supplies of ammunition furnished to the commanders of those forts.

14th. For the pay and rations of the militia, in the most exposed and important towns on the sea-board, who were called out two days in the week for discipline and exercise, agreeably to the wishes of the officers of the United States.

15th. For the purchase of several large ships, and preparing them to be sunk in the main channel of Boston harbor, in concurrence with the opinion of naval and military commanders in the service of the United States, for the security of the navigation, towns, and navy yard; which vessels were sold after the peace, and the proceeds credited to the United States.

The preceding specification offers to view, sir, the principal heads of charges incurred and paid by the state, for the general defence and security during the late war, which at present occur to us. But we will omit, at this time, to burden you with voluminous documents in their support, as we understand the judgment, with regard to them, is to rest on principles, and not on details; and to be determined by the authority given to the existing laws of the United States—the usage under them, and the opinion of the executive. The vouchers in support of the claim shall be promptly furnished, as soon as we can ascertain what may be wanted and can procure them from Massachusetts; but as we came unprepared for the exhibit, under the form that has been prescribed, and are unwilling longer to delay this note for the receipt of further documents, we ask leave to be considered as reserving to the state, or its agents, the right hereafter to extend, alter or amend it, as a further development of the circumstances of the several items of the account, or the evidence in their support, may require.

Under this illustration of the claim, we have now the honor to request you would be pleased to inform us, whether the expences which have arisen under the heads before enumerated, and which have been paid by the state, will be admitted to an examination at the war department? And if the whole should not be so admitted, what part may be considered by the executive as entitled to payment, on the proof, hereafter to be produced, being satisfactorily established?

We will only extend the present letter by making known our readiness and desire to afford any further personal or other explanation on the subject to which it relates, whenever you may have the goodness to inform us it would be acceptable to you to receive it. And we also avail ourselves of the occasion to express the due sense we entertain of the urbanity and courtesy we have individually experienced, both from the state and war departments, in the intercourse we have had with them on the business committed to our charge.

Requesting from you, sir, the favor of an answer as soon as the importance of the subject and your other various avocations will permit,

We have the honor to be, with sentiments of great consideration, your respectful and obedient servants,

(Signed) JAMES LLOYD,
WM. H. SUMNER

Washington, February 3, 1817

The honorable Geo. Graham, acting secretary of war.

Department of War, Feb. 9, 1817.

Gentlemen—Your communication of the 3d inst. in relation to the claim of the state of Massachusetts for the reimbursement of expences incurred, and for supplies furnished for the service of the militia during the late war, has received the consideration due to it.

As it appears that, with one exception, the militia on whose account the expences were incurred were called out and kept in service by the state authorities, independently of the authorities of the United States: and were withheld from the command of the officers of the United States, placed by the president within the military district of which Massachusetts formed a part, with authority to call for and take militia into the service of the United States: the claim with which you have been charged is excluded from the recognition of the executive authority of the United States, by the principles explained in the answer of the secretary of war to the communication of the governor of Massachusets, of the 7th of September, 1814, copies of which are herewith enclosed. Those principles have been kept in view by the executive of the United States, in all cases where expences incurred by a state on account of militia services have been assumed.

It follows from these observations, that no part of the claim presented by you in behalf of the state of Massachusetts, can be assumed by the executive, except for such expences as were incurred "for the payment and supplies of the militia, who were detached and ordered into the service of the United States, from the time they were mustered in their several companies, until they arrived at the places of rendezvous, and for the rations and supplies furnished them after they were received into the United States, none having been provided for them at the time."

I have the honor to be, &c.

GEO. GRAHAM.

Messrs. James Lloyd and Wm. H. Sumner.

Roads and Canals.

IN SENATE OF THE UNITED STATES, FEB. 14, 1817

The committee appointed on so much of the president's message as relates to roads and canals,

REPORT IN PART.—

That on the general utility and national importance of roads and canals, little remains to be added to the stock of information now in possession of the

senate, and to be found in the several reports made on that subject. The committee, however, would observe in addition, that the present period appears to them peculiarly propitious and strongly invites to the commencement and prosecution of such a system of public improvement. To the pleasing prospect of peace abroad, we enjoy mutual confidence and tranquility at home; our resources are abundant; our public revenue ample; our citizens at all times evincing a willingness to make every sacrifice for the public good and on whom perfect reliance may be placed, more especially when the contributions required must, when obtained and judiciously applied, promote their own interest, and add in an eminent degree to the wealth, comfort and safety of the nation; and it appears to your committee that the experience, dearly purchased in the late war, should not be regarded with indifference; much of the money expended in the necessary defence of the sea-board, as well as the lives of many valuable citizens, would have been saved to the nation, had a good inland water communication been made on our Atlantic frontier—the transportation of our armies, with all the munitions of war to the most vulnerable points would have been facilitated, and the advantages of the enemy arising from the celerity of his movements by water greatly diminished; moreover, the products of the west and south, consumed in the east and north, could have been transported secure from the common hazards of a sea voyage, and in defiance of blockading squadrons, and thus the inhabitants of the United States dispersed over a vast territory, embracing various climates suited to the productions of all the necessaries and many of the luxuries of life, might even, in a state of war, rely with comfort and security on her own internal resources.

To these advantages that refer themselves more especially to a state of war, must be added those, if possible, of a more imperative character that will at all times arise to the nation from an improved state of her roads and inland navigation. The people of these United States are spread over an extensive territory, and that dispersion of inhabitants is keeping full pace with the increase of population; and by a people thus dispersed, of different habits and pursuits, and, in many instances, with discordant views, is the national sovereignty exercised, and its fundamental powers directed; for, politically speaking, there is in the United States but one order or grade known—*that of the people;* and hence arises the imperious necessity, in a government thus constituted, of tying together the whole community by the strongest ligatures. This, your committee believe, can be best effected by the construction of roads and canals; by these means commercial and social intercourse will be made easy—industry, in all its branches encouraged by the increased rewards bestowed on every exertion—the love of country will be awakened, and a laudable spirit of national pride substituted in place of sectional jealousies—a community of interest and feeling will produce mutual confidence and affection. Thus, being one people, the nation can have but one object in view—the continuance and preservation of a government founded in equity and justice, administered for the advantage of all, and calculated in the calm of peace to call forth talents and industry for the acquisition of property, and in war the surest guarantee for its security and protection.

With these general observations on the national importance of internal improvements, your committee will endeavor to lay before the senate a general outline of such public works, embracing the United States generally, and consulting, as far as practicable, the interest of each section of the union; and which they conceive, in a further improved state of our national industry, may be completed without embarrassment to the operations of the treasury, or imposing additional burdens on the people.

On the subject of national roads, the first that presents itself, and of primary importance, is a turnpike from Maine to Louisiana, passing through the seat of the national government, and the principal cities and towns on this route.

Secondly; roads to connect the highest navigable points on the Atlantic rivers, with such points on the corresponding streams that fall into the northern and western lakes, and the Mississippi river and its branches. And lastly, such military or other roads as may serve to connect the scattered settlements in our states or territories, with th more compact population of the interior, and thereby secure the frontier settlements, in a great measure, from hostile annoyance, and enhance the value of the public lands by inducing a more dense population.

The other branch of this system of public improvement, and equal, if not superior in importance, is the construction of canals, and the improvement of the navigation of our rivers.

1st. An inland or shore navigation from the harbor of Boston, to the river St. Mary's, in Georgia—to connect these points, it is ascertained that not more than 100 miles will need the aid of canals, and from an estimate made by Mr. Gallatin when secretary of the treasury, will incur an expence little exceeding 3,000,000 of dollars, less it is believed than 200 dollars per mile, taking the whole distance of this water communication.

2d. A canal from the Hudson or North river to lake Erie, and from that lake to some of the many navigable waters of the Ohio river, which approach within a few miles of its margin or intermix with its navigable waters.

3d. The improvement of the navigation of the Ohio river, more particularly the falls at Louisville.

4th The improvement of the several Atlantic rivers, and the corresponding streams that empty into the Mississippi and Ohio rivers.

Law of South-Carolina,

PASSED AT THE LAST SESSION OF THE LEGISLATURE.

An act to secure the just rights of mechanics, handicraftsmen, and for other purposes therein mentioned.

Be it enacted by the honorable the senate and house of representatives, now met and sitting in general assembly and by the authority of the same, That from and after the passing of this act, every master mechanic, handicraftsman and artificer, who shall erect, improve or repair, any building whatsoever, shall have a legal lien upon the building so erected, improved or repaired, for the amount justly due him for the erection of such building, improvement or repairs: *Provided*, a memorandum or agreement in writing, in the nature of a contract, be signed, in presence of one or more witnesses, by the parties to such contract and the proprietor of the premises, or some other persons lawfully authorised in writing by them on which such building, improvement or repairs were erected or done, which contract or agreement shall contain a particular account of the work to be done, the materials to be furnished, and a general description of the said premises, and to be recorded in the office of the register of mesne conveyance for the district in which the buildings are erected or the improvements or repairs may be done: *Provided*, That such lien shall in no case be for a greater sum than the just value which such building, improvement or repairs shall give to the land upon which the same may be erected: *And provided also*, That no such lien shall take effect or commence before the date of the recording of such contract or memorandum executed, in manner and form aforesaid, nor shall such lien in any case ever continue or remain of force for a longer period than three years after the date thereof.

And be it further enacted, That nothing herein contained shall be construed to impair any prior lien on such building so to be erected.

CONGRESS.

SENATE.

Wednesday, Feb. 19.—The bill for establishing a bank in the city of Washington was postponed to a day beyond the session.

The bill "respecting the transportation of persons of color for sale, or to be held to labor," was read a third time, and passed.

The bill to provide for reports of the decisions of supreme court, (the blank for the annual compensation of the reporter having been filled with one thousand dollars) was read a third time and passed by the following vote.

YEAS.—Messrs. Ashmun, Barbour, Brown, Campbell, Chace, Daggett, Dana, Fromentin, Gaillard, Goldsborough, Hanson, Hardin, Horsey, Howell, Hunter, King, Mason, of N. H. Mason, of Va. Morrow, Noble, Ruggles, Sanford, Smith, Stokes, Talbot Tait, Taylor, Thompson, Tichenor, Troup—30.

NAYS.—Messrs. Condit, Lacock, Macon, Roberts, Varnum, Wilson—6.

The senate resumed the consideration of the bill "respecting persons escaping from the service of their masters."

On motion of Mr. *Talbot*, that the further consideration thereof be postponed to to-morrow week, it was decided as follows:

YEAS.—Messrs. Barbour, Brown, Campbell, Condit, Daggett, Dana, Fromentin, Gaillard, Goldsborough, Hardin, Hunter, King, Macon, Mason, of Va. Sanford, Smith, Stokes, Talbot, Tait, Thompson, Troup—21.

NAYS.—Messrs. Ashmun, Chase, Hanson, Horsey, Howell, Lacock, Morrow, Noble, Roberts, Ruggles, Taylor, Tichenor, Varnum, Wilson—14.

The bill to incorporate the Columbian Institute was postponed to a day beyond the session. The bill to establish a separate territorial government in the Mississippi territory was ordered to a third reading—[passed next day.]

Thursday, Feb. 20.—The motion yesterday submitted by Mr. *Williams*, calling for papers respecting Spanish affairs, was considered and agreed to.

The bill to set apart and dispose of certain lands for the encouragement of the cultivation of the vine and other exotic plants, was considered and ordered to be read a third time, [passed next day] 29 yeas to 5 nays.

[Those who voted in the negative were Messrs Dagget, Hardin, Mason, of N. H. Ruggles, and Smith.]

Friday, Feb. 21.—The proposition to reduce the army was postponed until Monday. Eight bills from the house of representatives were read.

The bill concerning the navigation of the United States, was read a third time and passed.

[The amendments to this bill yet require the concurrence of the other house.]

The bill to provide for the appointment of hospital surgeons, &c. in the navy, was postponed to a day beyond the session.

Saturday, Feb. 22.—Mr. *Williams*, from the military committee, reported a bill to amend the act organizing a general staff, and making further provision for the army of the United States.

Mr. *Mason*, of Va. reported a bill to incorporate the subscribers to certain banks in the district of Columbia, and also a bill to extend the charters of certain banks in the district of Columbia.

Mr. *Tait*, agreeably to notice, leave being given, introduced a bill to alter the time for the next meeting of congress.

The bill to set apart certain lands for the purpose of securing a supply of live oak timber for the navy, was resumed, and ordered to a third reading, as were two or three other small bills.

The bill from the other house, directing the application of the bonus and profits of the United States stock in the national bank, to the purpose of internal improvement, was set apart and made the order of the day for Tuesday next.

[Every senator of the United States is, at the present moment, at his post; in number thirty eight. This is an evidence of exclusive attention to public duties, not often witnessed.]

Monday, Feb. 24.—Among the bills passed were the following:

A bill to provide for the punishment of crimes and offences committed within the Indian boundaries. [On this bill the vote, by yeas and nays, was 17 to 13.]

A bill making reservation of certain public lands to supply timber for naval purposes.

A bill relating to the ransom of American captives in the late war.

The bill more effectually to preserve our neutral relations, was reported by Mr. *Barbour*, from the committee on foreign relations, with sundry amendments.

Tuesday, Feb. 25.—The senate resumed the consideration of the resolution to direct the military committee to report a bill to reduce the army; and, Mr. *Barbour*, having moved to postpone the same indefinitely, the question thereon was decided as follows.

YEAS.—Messrs. Barbour, Brown, Campbell, Chace, Condit, Fromentin, Gaillard, Hanson, Howell, Hunter, King, Lacock, Mason, of Va. Morrow, Noble, Roberts, Ruggles, Sanford, Stokes, Tait, Taylor, Troup, Williams, Wilson—24.

NAYS.—Messrs. Ashmun, Daggett, Dana, Goldsborough, Horsey, Macon, Mason, of N. H. Smith, Thompson, Tichenor, Varnum—11.

So the resolution was rejected.

The bill freeing from postage all letters and packets to and from James Madison, was read a third time and passed.

Wednesday, Feb. 26.—After a variety of other business, the senate spent some time on the bill to set apart the bonus, &c. of the United States bank, as a fund for internal improvements. A motion to postpone it indefinitely was negatived—18 to 19.

HOUSE OF REPRESENTATIVES.

Friday, Feb. 21.—Mr *Jackson* offered the following resolution, which he stated grew out of the report made a few days ago by the committee on the part of this house on the subject.

Resolved, That a committee be appointed on the part of the house of representatives, to notify the hon. James Monroe, of his election to the office of president of the United States for the ensuing four years; and that the speaker cause a similar notice to be given to the hon. Daniel D Tompkins, of his election to the office of vice president of the United States for the same term.

The resolution being read, was agreed to and a committee appointed accordingly.

Mr. *Hulbert*, from the select committee to whom the petition of the Berkshire agricultural association had been referred, reported a bill to establish a national board of agriculture; which was twice read and committed.

The house proceeded to the order of the day, being the proposition to repeal the internal taxes.—The previous question was called, but negatived; and finally the resolution was postponed to the 2nd day of March, or laid on the table for the session. On the postponement the yeas and nays were as follows:

YEAS—Messrs. Adgate, Alexander, Archer, Atherton, Baker, Barbour, Bassett, Bateman, Bennett, Betts, Birdseye, Breckenridge, Brown, Caldwell, Calhoun, Carr, Mass. Chappell, Clark, N. Y. Clark, N. C. Condict, Conner, Creighton, Crocheron, Findley, Forney, Forsyth, Gaston, Gold, Griffin, Hahn, Harrison, Heister, Hopkinson, Huger, Hulbert, Ing-

ham, Irving, N. Y. Jackson, Johnson, Ky. Kent, Kerr, Va. Little, Lowndes, Lumpkin, M'Lean, Middleton, Miller, Mills, Milnor, Jer. Nelson, Thos. M. Nelson, Newton, Ormsby, Pickering, Pleasants, Rice, Robertson, Ross, Ruggles, Savage, Schenck, Smith, Penn. Southard, Stearns, Taggart, Tallmadge, Taul, Taylor, N. Y. Taylor, S. C. Telfair, Thomas, Townsend, Ward, Mass. Webster, Wendover, Wilde, Wilkin, Willoughby, Thos. Wilson, Woodward, Yancey, Yates—82.

Nays—Messrs. Adams, Baylies, Birdsall, Blount, Boss, Bradbury, Bryan, Burwell, Cady, Cannon, Champion, Cilley, Clayton, Clendennin, Comstock, Cook, Cooper, Crawford, Culpepper, Davenport, Desha, Dickens, Edwards, Fletcher, Goldsborough, Bale, Henderson, Hendricks, Herbert, Hooks, Hungerford, Jewett, Johnson, Va. Kilbourn, King, Langdon, Law, Lewis, Love, Lyle, Lyon, Wm. Macklay, Wm. P. Maclay, Marsh, Mason, M'Coy, M'Kee, Moffit, Moore, Mosely, Hugh Nelson, Noyes, Parris, Peter, Pitkins, Piper, Powell, Reed, Roane, Sharp, Smith, Va. Strong, Stuart, Sturges, Tyler, Vose, Wallace, Ward, N. Y. Ward, N. J. Wheaton, Whiteside, Wilcox, Williams—73.

The following engrossed bills were severally read the third time, passed and sent to the senate for concurrence, to wit: the bill making provision for the support of the military establishment of the United States for the year 1817; the bill making additional appropriations to defray the expences of the army and military during the late war; the bill making appropriations for the support of the navy for the year 1817; the bill freeing from postage, hereafter, all letters and packets to and from James Madison; the bill supplementary to the act further to amend the several acts for the establishment of the treasury, war, and navy departments; the bill to repeal the act providing for the safe keeping and accommodation of prisoners of war; the bill concerning the compensation of the district attorney for the district of Massachusetts; and the bill to authorise the extension of the Columbian turnpike within the District of Columbia.

The bill respecting the establishment of an armory on the Ohio, or its branches, was postponed indefinitely—ayes 70.

Many reports were received from different committees, and much other business was transacted, which shall be noticed in its progress.

Saturday, Feb. 52.—Mr. *Forsyth*, from the committee on foreign relations, reported their agreement to the amendments made by the senate to the bill concerning the navigation of the United States, and they were then concurred in by the house.

Mr. *Cannon* moved that the several orders of the day be postponed to Monday, and that the house proceed to the consideration of the resolution offered by him some weeks ago, to reduce the army—which motion was negatived, ayes 39, noes 69.

The following engrossed bills were severally read the third time, passed and sent to the senate, to wit:

The bill concerning invalid pensioners;

The bill to amend the act making further provision for military services during the late war; and

The bill concerning the pay and emoluments of brevet officers.

The last was warmly opposed by Mr. Harrison.

The bill concerning invalids of the revolutionary war, and of the widows and children of the militia, and of the soldiers of the army during the late war, was indefinitely postponed, after considerable discussion.

The bill for opening a road through the Chickasaw country was ordered to be engrossed for a third reading.

Mr. *Goldsborough*, from the committee appointed on the 20th instant, to present a resolution to the president of the United States, requesting him to report to the next session of congress the best practicable mode of defending the waters of the Chesapeake, reported that the committee had performed that duty, and that the president answered it would not be in his power to comply with the request of the resolution, but that he had no doubt his successor would pay all due attention to it.

Monday, Feb. 24.—The bill for the establishment of an invalid corps and the bill making provision for three additional military academies were indefinitely postponed; as was also the bill to establish an uniform system of bankruptcy.

The bill from the senate to enable the people of the western part of the Mississippi territory to form a constitution and state government, &c. was after considerable opposition, ordered to be engrossed for a third reading.

Among the bills passed were the following:

A bill to amend the act entitled "an act granting bounties in land and extra pay to certain Canadian volunteers" passed on the 5th March, 1816.

And the bill from the senate for the relief of the representatives of John Y. Yarnall.

Tuesday, Feb. 25. Much business was done.—The most important regarded the sinking fund as follows:

The house resolved itself into a committee of the whole, Mr. *Jackson* in the chair, on the bill for the redemption of the public debt. [Providing, substantially, to make the sinking fund ten millions annually; and to add to the fund of ten millons, the further sum of nine millions, (the existing surplus in the treasury;) thus making the whole sum applied this year to the reduction of the debt, amount to nineteen millions of dollars. Also, authorising the secretary of the treasury, at any time during the present year, to pay the commissioners of the sinking fund the further sum of four millions, to be considered as an advance to that amount on the appropriation of ten millions, payable in the next year. Also, vesting in the commissioners of the sinking fund, to be applied to the redemption of the debt, any surplus which may hereafter accrue, over and above the sum of two millions, to be always retained in the treasury.]

The blanks were filled up—it was afterwards taken up by the house and after some opposition, and the rejection of some proposed amendments, ordered to be engrossed for a third reading.

Wednesday, Feb. 26.—The bill from the senate, respecting the Mississippi Territory was passed. A great deal of other business, preparatory to a close of the session was transacted, not necessary to detail it at present.

Thursday, Feb. 27. The committee on the charges against judge Toulmin, on the ground that there was no proof of the charges made against him, were discharged from the further consideration of the subject. The report shall be inserted hereafter.

Several bills were ordered to be read the third time: among them was the bill for disposing of four townships of land, on favorable terms to emigrants, to encourage the cultivation of the vine and olive, &c.

Many private bills were passed.

Foreign Articles.

There have been several arrivals from Europe since our last, by which, English papers of about the middle of December, and French of the latter end of that month have been received. We had prepared a distinct account of their contents, but so the necessity of the case is, that the matter must be deferred. They contain, however, nothing important. There had been a great riot, or "insurrection" in London on the 2nd of Dec. which was quelled in the usual way—by the military. The city of London has addressed the prince regent in a manner so bold and explicit as to cause him to say in his reply that he received the address "with surprise and regret." The duke of Wellington has suddenly arrived in England, even unknown to his wife, and speculation is afloat as to the object of his journey—but all appears tranquil in France, and the most important feature of the news from that country seems to be, that—the king, by overeating, or from some other cause, was sick.

Whatsoever is useful for *record* shall be attended to next week.

CHRONICLE.

D. D. Tompkins resigned the office of governor of the state of New-York, about the 20th instant, being elected vice-president of the United States.

Lead.—The valuable lead mines, on both sides of the Mississippi are now worked very extensively, and to great profit.

Exchange.—At New-York, Feb. 22—on London, 101 to 101½; on Boston, 1 per cent. *advance.* Philadelphia, *par* to ¼ *dis.*; Baltimore, ¾ *dis.*; Virginia and North-Carolina, ½ *dis.*; South-Carolina and Georgia, *par;* New-Orleans, 2 *dis.*

Mediterranean squadron.—Our last accounts state that our squadron was at Syracuse.

The brig Tom Bowline is reported in the Mississippi, proceeding to New-Orleans, in company with a Carthagenian privateer, as her prize. No particulars stated.

One 74 gun ship is building at Washington City, and it is stated that the keels of two others will be laid at New-York and Norfolk. Some frigates are also to be built.

The spacious tavern and stage house, at Havre de Grace, occupied by Mr. Gilbert, recently took fire at 2 o'clock in the morning, and was entirely consumed. There were in all about 40 lodgers in the house, some of whom escaped with great difficulty, and with considerable damage, by leaping from windows, &c. Among the lodgers was maj. gen. *Brown* and his suit, who lost all his baggage.

Mr. *Milligan*, of Georgetown, D. C. has advertised *A Treatise on Political Economy*, translated from an unpublished work, by the count *Destutt Tracy*, member of the senate and institute of France. The reason given for publishing this work in a translation, and in this country, is that the author could not safely publish it, at present, in France without mutilation. He preferred first giving it to a country, "which is afraid to read nothing, and which may be entrusted with any thing."

Baltimore city. The legislature, at its late sitting, passed an act to annex the Precincts, as they were called, to the city of Baltimore, against the consent of nine-tenths, perhaps, of the people of both. By this procedure the *city* acquires a population of 16 or 17,000 souls; and still has only *two* members in the house of delegates—a *fortieth* part of the power of legislation, and a *fifth*, if not a *fourth*, of all the white persons in the whole state.

The mere *addition* thus made to Baltimore city, for population or value of property, is far greater than that of any one of seven or eight of the counties of the state, and equal, or superior, to that of two several pairs of united counties—But each *county* sends *four* members to the legislature. *This is Maryland representation.*

Of the political motives that led to this procedure, it does not belong to this work to say any thing.

Pennsylvania.—At the late election for state treasurer, the joint ballot of the legislature stood thus—for Wm. Findlay, "rep." 82; James Brady, "fed." 20; James Whitehill, "old-school," 10.

Imprisonment for debt.—A bill is before the legislature of New-York for abolishing imprisonment for debt. The certificates published about the hardships suffered by this class of society in that state are almost beyond belief—it appears that they are dependent wholly on charity for subsistence and the means of keeping them from perishing with the cold. In the year 1816 there were confined in the jail of New-York 579 debtors, for debts under the sum of 25 dollars—all, or nearly all of whom must have *starved*, but for charitable donations—1100 debtors in that year were fed by the Humane society!—Such is the substance of certificates of the sheriffs, &c.

Senate of the United States.

According to the theory of our government, and the general impression on that subject, the senate of the United States, whose members are chosen for six years, should be the most permanent and least changeable of the branches of the government. On this ground hostility to the senate has been entertained by many good men, as possessing greater power, and being more permanent in its character than is consistent with the democratic principles of our government. A few facts on this subject, will shew what in practice, is the character of this branch of the government.

It is well known that the senators are arranged into three classes; one of which goes out of office at the end of each congress. Of the class whose term of service expires on the 3d of March next, *but one* will take a seat in the senate on the 4th of March next (Mr. Williams of Tennessee) and that one temporarily appointed by the executive of the state which he represents.

Of those who composed the senate on the 4th of March, 1813, four years ago, *but five* will take their seats as senators on the 4th day of next month.

From the fourth day of March, 1813, to the 4th March 1817, inclusive, there will have been the number of persons which follow in the office of senator from the respective states, each state being entitled to two representatives in the senate. There will have been, for example, from

New-Hampshire	4	Maryland	5
Vermont	4	Virginia	5
Massachusetts	4	North Carolina	4
Rhode Island	3	South Carolina	3
Connecticut	3	Georgia	4
New-York	4	Tennessee	5
New Jersey	4	Kentucky	7
Pennsylvania	4	Ohio	5
Delaware	4	Louisiana	5

It is presumed our readers will find in these facts the evidence of a more frequent renovation of the senate, of a more continued rotation in office in that body, than any of them without inquiring would have supposed.—*Nat. Int.*

NILES' WEEKLY REGISTER.

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Hæc olim meminisse juvabit.—VIRGIL.

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The Inauguration.

WASHINGTON, MARCH 3.

The following letter was received by the senate from the president elect, and read:

City of Washington, March 1, 1817.

SIR—I beg leave through you to inform the honorable senate of the United States, that I propose to take the oath which the constitution prescribes to the president of the United States before he enters on the execution of his office, on Tuesday, the 4th inst. at 12 o'clock, in the chamber of the house of representatives.

I have the honor to be, with the greatest respect, sir, your most obedient humble servant.

JAMES MONROE.

The hon. John Gaillard, president of the senate of the U. States.

Order of arrangement on the fourth of March, 1817; determined on by the committee of the senate.

The senate will meet and be organized in the senate chamber at 11 o'clock, A. M. and remove to the chamber of the house of representatives in time to receive the president elect at the appointed hour of 12 o'clock.

The committee of arrangement will receive the president elect at the door of the chamber of the house of representatives, and conduct him to the chair.

The president elect will be attended by heads of departments, marshal of the district, marshals of the day, and the mayors of the district.

The president of the senate, with his secretary, to be seated on the right of the chair, the ex-president on his right, and the speaker of the house of representatives on his left.

The heads of departments to be seated on the right, and the foreign ministers, with their suites, on the left of the chair.

The judges of the supreme court to be seated at the table in front of the chair.

The senate to fill the seats immediately in front.

Members of congress, and such persons as, by the standing rules of congress, are admitted to a seat within the chambers, will occupy seats on the floor.

Ladies will be accommodated with seats in the chamber to the utmost extent, consistent with the preceding arrangements.

The end door of the gallery will be open for the accommodation of citizens generally.

No other persons than those before specified can be received on the floor of the chamber; and officers will be appointed to enforce these regulations.

Washington, March 5.

Under the auspices of a delightful day, yesterday took place the interesting ceremony attendant on the entrance of the *president* elect of the *United States*, on the duties of his arduous station. The ceremony and the spectacle were simple, but grand, animating and impressive.

At half after 11 o'clock, the *president*, with him the *vice-president* elect, left his private residence, attended by a large cavalcade of citizens on horseback, marshalled by the gentlemen appointed to that duty.

The president reached the congress-hall a little before 12; and at the same time the ex-president arrived, and the judges of the supreme court. All having entered the chamber of the senate, then in session, the vice-president took the chair, and the oath of office was administered to him. A pertinent address was delivered on the occasion by the vice-president.

This ceremony having ended, the senate adjourned, and the *president* and *vice-president*, the judges of the supreme court, the senate generally, the marshals, &c. attended the president to the elevated portico temporarily erected for the occasion, where, in the presence of an immense concourse of officers of the government, foreign officers, strangers, (ladies as well as gentlemen) and citizens, the president rose and delivered the following

SPEECH.

I should be destitute of feeling if I was not deeply affected by the strong proof which my fellow-citizens have given me of their confidence, in calling me to the high office, whose functions I am about to assume. As the expression of their good opinion of my conduct in the public service, I derive from it a gratification, which those who are conscious of having done all that they could to merit it, can alone feel. My sensibility is increased by a just estimate of the importance of the trust, and of the nature and extent of its duties; with the proper discharge of which the highest interests of a great and free people are intimately connected. Conscious of my own deficiency, I cannot enter on these duties without great anxiety for the result. From a just responsibility I will never shrink; calculating with confidence, that in my best efforts to promote the public welfare, my motives will always be duly appreciated, and my conduct be viewed with that candor and indulgence which I have experienced in other stations.

In commencing the duties of the chief executive office, it has been the practice of the distinguished men who have gone before me, to explain the principles which would govern them in their respective administrations. In following their venerated example, my attention is naturally drawn to the great causes which have contributed in a principal degree, to produce the present happy condition of the United States. They will best explain the nature of our duties, and shed much light on the policy which ought to be pursued in future.

From the commencement of our revolution to the present day, almost forty years have elapsed, and from the establishment of this constitution, twenty eight. Through this whole term, the government has been, what may emphatically be called, self government; and what has been the effect? To whatever object we turn our attention, whether it relates to our foreign or domestic concerns, we find abundant cause to felicitate ourselves in the excellence of our institutions. During a period fraught with difficulties, and marked by very extraordinary events, the United States have flourished beyond example. Their citizens, individually, have been happy, and the nation prosperous.

Under this constitution our commerce has been wisely regulated with foreign nations, and between

the states; new states have been admitted into our union; our territory has been enlarged, by fair and honorable treaty, and with great advantage to the original states; the states respectively, protected by the national government, under a mild parental system, against foreign dangers, and enjoying within their separate spheres, by a wise partition of power, a just proportion of the sovereignty, have improved their police, extended their settlements, and attained a strength and maturity which are the best proofs of wholesome laws, well administered. And if we look to the condition of individuals, what a proud spectacle does it exhibit! on whom has oppression fallen in any quarter of our Union? Who has been deprived of any right of person or property? Who restrained from offering his vows, in the mode which he prefers, to the Divine Author of his being? It is well known that all these blessings have been enjoyed in their fullest extent; and I add, with peculiar satisfaction, that there has been no example of a capital punishment being inflicted on any one for the crime of high treason.

Some, who might admit the competency of our government to these beneficent duties, might doubt it, in trials, which put to the test its strength and efficiency, as a member of the great community of nations. Here, too, experience has afforded us the most satisfactory proof in its favor. Just as this constitution was put into action, several of the principal states of Europe had become much agitated, and some of them seriously convulsed. Destructive wars ensued, which have, of late only, been terminated. In the course of these conflicts, the United States received great injury from several of the parties. It was their interest to stand aloof from the contest, to demand justice from the party committing the injury, and to cultivate, by a fair and honorable conduct, the friendship of all. War became at length inevitable, and the result has shewn that our government is equal to that, the greatest of trials, under the most unfavorable circumstances. Of the virtue of the people, and of the heroic exploits of the army, the navy, and the militia, I need not speak.

Such, then, is the happy government under which we live; a government adequate to every purpose for which the social compact is formed; a government elective in all its branches, under which every citizen may, by his merit, obtain the highest trust recognized by the constitution; which contains within it no cause of discord; none to put at variance one portion of the community with another; a government which protects every citizen in the full enjoyment of his rights and is able to protect the nation against injustice from foreign powers.

Other considerations, of the highest importance, admonish us to cherish our union, and to cling to the government which supports it. Fortunate as we are, in our political institutions, we have not been less so in other circumstances, on which our prosperity and happiness essentially depend. Situated within the temperate zone, and extending through many degrees of latitude along the Atlantic, the United States enjoy all the varieties of climate, and every production incident to that portion of the globe. Penetrating, internally, to the great lakes, and beyond the sources of the great rivers which communicate through our whole interior, no country was ever happier with respect to its domain. Blessed too with a fertile soil, our produce has always been very abundant, leaving, even in years the least favorable, a surplus for the wants of our fellow-men in other countries. Such is our peculiar felicity, that there is not a part of our union that is not particularly interested in preserving it. The great agricultural interest of the nation prospers under its protection. Local interests are not less fostered by it. Our fellow citizens of the north, engaged in navigation, find great encouragement in being made the favored carriers of the vast productions of the other portions of the United States, while the inhabitants of these are amply recompensed, in their turn, by the nursery for seamen and naval force, thus formed and reared up for the support of our common rights. Our manufacturers find a generous encouragement by the policy which patronizes domestic industry; and the surplus of our produce, a steady and profitable market by local wants, in less favored parts, at home.

Such, then, being the highly favored condition of our country, it is the interest of every citizen to maintain it. What are the dangers which menace us? If any exist, they ought to be ascertained and guarded against.

In explaining my sentiments on this subject, it may be asked, what raised us to the present happy state? How did we accommplish the revolution? How remedy the defects of the first instrument of our union, by infusing into the national government sufficient power for national purposes, without impairing the just rights of the states, or affecting those of individuals? How sustain, and pass with glory through the late war? The government has been in the hands of the people. To the people, therefore, and to the faithful and able depositories of their trust, is the credit due. Had the people of the United States been educated in different principles; had they been less intelligent, less independent, or less virtuous, can it be believed that we should have maintained the same steady and consistent career, or been blessed with the same success? While then, the constituent body retains its present sound and healthful state, every thing will be safe.—They will choose competent and faithful representatives for every department. It is only when the people become ignorant and corrupt; when they degenerate into a populace, that they are incapable of exercising the sovereignty. Usurpation is then an easy attainment, and an usurper soon found. The people themselves become the willing instruments of their own debasement and ruin. Let us then look to the great cause, and endeavor to preserve it in full force. Let us, by all wise and constitutional measures, promote intelligence among the people, as the best means of preserving our liberties.

Dangers from abroad are not less deserving of attention Experiencing the fortune of other nations, the United States may again be involved in war, and it may in that event be the object of the adverse party to overset our government, to break our union and demolish us as a nation. Our distance from Europe, and the just, moderate and pacific policy of our government may form some security against these dangers, but they ought to be anticipated and guarded against. Many of our citizens are engaged in commerce and navigation, and all of them are in a certain degree dependent on their prosperous state. Many are engaged in the fisheries. These interests are exposed to invasion in the wars between other powers, and we should disregard the faithful admonitions of experience if we did not expect it. We must support our rights or lose our character, and with it perhaps our liberties. A people who fail to do it, can scarcely be said to hold a place among independent nations. National honor is national property of the

highest value. The sentiment in the mind of every citizen, is national strength. It ought therefore to be cherished.

To secure us against these dangers, our coast and inland frontiers should be fortified, our army and navy regulated upon just principles as to the force of each, be kept in perfect order, and our militia be placed on the best practicable footing. To put our extensive coast in such a state of defence, as to secure our cities and interior from invasion, will be attended with expence, but the work when finished will be permanent, and it is fair to presume that a single campaign of invasion, by a naval force, superior to our own, aided by a few thousand land troops, would expose us to a greater expence, without taking into the estimate the loss of property and distress of our citizens, than would be sufficient for this great work. Our land and naval forces should be moderate, but adequate to the necessary purposes. The former to garrison and preserve our fortifications and to meet the first invasions of a foreign foe; and, while constituting the elements of a greater force, to preserve the science, as well as all the necessary implements of war, in a state to be brought into activity in the event of war. The latter, retained within the limits proper in a state of peace, might aid in maintaining the neutrality of the United States with dignity in the wars of other powers and in saving the property of their citizens from spoliation. In time of war, with the enlargement, of which the great naval resources of the country render it susceptible, and which should be duly fostered in time of peace, it would contribute essentially, both as an auxiliary of defence, and as a powerful engine of annoyance, to diminish the calamities of war, and to bring the war to a speedy and honorable termination.

But it ought always to be held prominently in view, that the safety of these states, and of every thing dear to a free people, must depend, in an eminent degree, on the militia. Invasions may be made too formidable to be resisted by any land and naval force, which it would comport, either with the principles of our government, or the circumstances of the United States, to maintain. In such cases, recourse must be had to the great body of the people, and in a manner to produce the best effect. It is of the highest importance, therefore, that they be so organized and trained, as to be prepared for any emergency. The arrangement should be such as to put at the command of the government the ardent patriotism, and youthful vigor of the country. If formed on equal and just principles, it cannot be oppressive. It is the crisis which makes the pressure, and not the laws, which provide a remedy for it. This arrangement should be formed, too, in time of peace, to be the better prepared for war. With such an organization, of such a people, the United States have nothing to dread from foreign invasion. At its approach, an overwhelming force of gallant men might always be put in motion.

Other interests, of high importance, will claim attention; among which, the improvement of our country, by roads and canals, proceeding always with a constitutional sanction, holds a distinguished place. By thus facilitating the intercourse between the states, we shall add much to the convenience and comfort of our fellow-citizens, much to the ornament of the country; and, what is of greater importance, we shall shorten distances, and by making each part more accessible to and dependent on the other, we shall bind the union more closely together. Nature has done so much for us by intersecting the country with so many great rivers, bays and lakes, approaching from distant points so near to each other, that the inducement to complete the work seems to be peculiarly strong. A more interesting spectacle was, perhaps, never seen than is exhibited within the limits of the United States; a territory so vast, and advantageously situated, containing objects so grand, so useful, so happily connected in all their parts.

Our manufactures will, likewise, require the systematic and fostering care of the government. Possessing, as we do, all the raw materials, the fruit of our own soil and industry, we ought not to depend, in the degree we have done, on supplies from other countries. While we are thus dependent, the sudden event of war, unsought and unexpected, cannot fail to plunge us into the most serious difficulties. It is important, too, that the capital which nourishes our manufactures should be domestic, as its influence in that case, instead of exhausting, as it may do in foreign hands, would be felt advantageously on agriculture, and every other branch of industry. Equally important is it, to provide at home a market for our raw materials, as by extending the competition, it will enhance the price, and protect the cultivator against the casualties incident to foreign markets.

With the Indian tribes it is our duty to cultivate friendly relations, and to act with kindness and liberality in all our transactions. Equally proper is it, to persevere in our efforts to extend to them the advantages of civilization.

The great amount of our revenue, and the flourishing state of the treasury, are a full proof of the competency of the national resources, for any emergency, as they are of the willingness of our fellow-citizens to bear the burthens which the public necessities require. The vast amount of vacant land, the value of which daily augments, forms an additional resource of great extent and duration. These resources, besides accomplishing every other necessary purpose, puts it completely in the power of the United States to discharge the national debt at an early period. Peace is the best time for improvement, and preparation of every kind: it is in peace that our commerce flourishes most, that taxes are most easily paid, and that the revenue is most productive.

The executive is charged, officially, in the departments under it, with the disbursement of the public money, and is responsible for the faithful application of it, to the purposes for which it is raised. The legislature is the watchful guardian over the public purse. It is its duty to see that the disbursement has been honestly made. To meet the requisite responsibility, every facility should be afforded to the executive, to enable it to bring the public agents entrusted with the public money, strictly and promptly to account. Nothing should be presumed against them; but if, with the requisite facilities, the public money is suffered to lie long and uselessly in their hands, they will not be the only defaulters, nor will the demoralizing effect be confined to them. It will evince a relaxation, and want of tone in the administration; which will be felt by the whole community. I shall do all that I can to secure economy and fidelity in this important branch of the administration, and I doubt not, that the legislature will perform its duty with equal zeal. A thorough examination should be regularly made, and I will promote it.

It is particularly gratifying to me, to enter on the discharge of these duties, at a time when the

United States are blessed with peace. It is a state most consistent with their prosperity and happiness. It will be my sincere desire to preserve it, so far as depends on the executive, on just principles, with all nations, claiming nothing unreasonable of any, and rendering to each what is its due.

Equally gratifying is it to witness the increased harmony of opinion which pervades our union. Discord does not belong to our system. Union is recommended, as well by the free and benign principles of our government, extending its blessings to every individual, as by the other eminent advantages attending it. The American people have encountered together great dangers, and sustained severe trials with success. They constitute one great family, with a common interest. Experience has enlightened us on some questions of essential importance to the country. The progress has been slow, dictated by a just reflection, and a faithful regard to every interest connected with it. To promote this harmony, in accord with the principles of our republican government, and in a manner to give them the most complete effect, and to advance, in all other respects, the best interests of our country, will be the object of my constant and zealous exertions.

Never did a government commence under auspices so favorable, nor ever was success so complete. If we look to the history of other nations, ancient or modern, we find no example of a growth so rapid so gigantic; of a people so prosperous and happy. In contemplating what we have still to perform, the heart of every citizen must expand with joy, when he reflects how near our government has approached to perfection; that in respect to it we have no essential improvement to make; that the great object is to preserve it in the essential principles and features which characterize it, and that that is to be done by preserving the virtue and enlightening the minds of the people; and, as a security against foreign dangers, to adopt such arrangements as are indispensable to the support of our independence, our rights and liberties. If we persevere in the career in which we have advanced so far, and in the path already traced, we cannot fail, under the favor of a gracious Providence, to attain the high destiny which seems to await us.

In the administration of the illustrious men who have preceded me in this high station, with some of whom I have been connected by the closest ties from early life, examples are presented which will always be found highly instructive and useful to their successors. From these I shall endeavor to derive all the advantages which they may afford. Of my immediate predecessor, under whom so important a portion of this great and successful experiment has been made, I shall be pardoned for expressing my earnest wishes, that he may long enjoy in his retirement the affections of a grateful country, the best reward of exalted talents, and the most faithful and meritorious services. Relying on the aid to be derived from the other departments of government, I enter on the trust to which I have been called by the suffrages of my fellow citizens, with my fervent prayers to the Almighty that he will be graciously pleased to continue to us that protection which he has already so conspicuously displayed in our favor.

Having concluded his address, the oath of office was administered to him by the chief justice of the United States. The oath was announced by a single gun, and followed by salutes from the navy-yard, the battery, from fort Warburton, and from several pieces of artillery on the ground.

The president was received on his arrival, with military honors, by the marine corps, by the Georgetown riflemen, a company of artillery, and two companies of infantry from Alexandria; and on his return was saluted in like manner.

It is impossible to compute with any thing like accuracy the number of carriages, horses, and persons present. Such a concourse was never before seen in Washington; the number of persons present being estimated at from five to eight thousand. The mildness and radiance of the day cast a brilliant hue on the complexion of the whole ceremony; and it is satisfactory to say, that we heard of no accident during the day, notwithstanding the magnitude of the assemblage.

The president and his lady, after his return, received at their dwelling the visits of their friends, of the heads of departments, most of the senators and representatives, of all the foreign ministers at the seat of government, of strangers and citizens; who also generally paid the tribute of their unabated respect to Mr. and Mrs Madison.

The evening concluded with a splendid ball at Davis's hotel; at which were present the president and ex-president and their ladies, the heads of departments, foreign ministers, and an immense throng of strangers and citizens.

Address of the vice-president to the senate, after having taken the oath of office on the fourth day of March.

Gentlemen of the senate:

In entering the office of vice-president, I beg leave to offer a public acknowledgement of the honor conferred upon me by the people of the United States, by placing me next in their confidence to that illustrious citizen whose patriotism, virtue, and eminent public services, receive this day the highest reward that a free people can bestow.

I assume the duties assigned me in the senate, with the greatest diffidence, arising from a consciousness of my inexperience in the forms of deliberate assemblies; and when, at the same time, I reflect that this chair has hitherto been adorned by men of the first distinction for experience, talents and character, I am oppressed by the magnitude of the responsibility which now devolves upon me.

My heart assures me that I may promise upright intentions, zealous industry and rigid impartiality. If aught beyond these shall merit approbation, it will be justly ascribed to the wisdom and magnanimity of the members of this dignified body—and upon that wisdom and magnanimity I entirely repose myself for guidance and support.

Vice-president Tompkins.

The governor of New-York announced his election to the vice-presidency of the United States to the legislature and militia of the state, in the address and general order inserted below.

Gentlemen of the senate and of the assembly of the state of New-York—

Having received official information of my election to the office of vice-president of the United States, I surrender, through their representatives, to the people of this state, the office of their chief magistrate.

Whether the influence of my official conduct on the prosperity, the security, and the character of New-York may be regarded in a favorable or unfavorable light, I shall always hear with the highest gratification, that those who may succeed to the administration of its government shall have far excelled

me in advancing the interests and the honor of the state.

A crowd of sensations are awakened by announcing this, my separation, from officers, legislators, and citizens, with whom I have been so long associated, and who have yielded to me, on all occasions, the greatest kindness, assistance and respect. When I call to mind that I was distinguished at an early age by a preference far beyond my merits, and reflect on the violent party collisions with which this state has been, unfortunately, too often agitated during my administration; when I recollect the national difficulties and distress occasioned by the war in which we have been engaged, and call to mind the unbounded confidence, support, and indeed, parental solicitude, with which they sustained me in the midst of those most trying scenes of my public life, and at the same time, reflect how inadequate and feeble have been my greatest exertions and my utmost devotions to their interests to repay the obligation, my heart is overwhelmed with emotions which I have no power to express.

I shall bear with me through life a glowing recollection of the affection and gratitude I owe to the people of the state of New York; and that they may be blessed with perpetual happiness, prosperity and liberty, will ever be the warmest wish of my heart. DANIEL D. TOMPKINS.

Albany, February 24, 1817.

STATE OF NEW-YORK.—GENERAL ORDERS.

Head-quarters, Albany, 20th Feb 1817.

On the eve of his separation from the officers and soldiers of the militia, the commander in chief offers a sincere acknowledgment for the confidence and support he has always received from them, and for the patriotism they have exhibited in the whole course of the late war. Deeply sensible how much the subordination and zeal of the militia of this state have contributed to advance its honor and fame, he would do injustice to himself and them were he not on this occasion publicly to proclaim his high sense of gratitude.

The conduct displayed at Plattsburg, Sackett's Harbor, and on the Niagara frontier, and especially in the sortie from fort Erie, has given the military in this state a high rank amongst the bravest defenders of the country. The commander in chief entreats them to cherish and transmit to posterity that patriotic spirit which animated them to such noble deeds.

He will ever retain a lively recollection of their services in the most trying periods, and of the respect and regard he has uniformly received from them, and with the most devout prayers for the future prosperity and happiness of his fellow officers and soldiers of the militia of the state of New York, he bids them an affectionate farewell.

By order of the commander in chief,

SOL. VAN RENSSELEAR,
Adjutant-general.

Relations with Spain.

Message from the president of the United States, transmitting the correspondence between the U. States and the government of Spain, relative to the subjects of controversy between the two nations.—February 22, 1817. Read and ordered to be printed for use of the senate.

To the senate of the United States—

I transmit to the senate a report of the secretary of state, complying with their resolution of the 20th instant. JAMES MADISON.

February 22, 1817.

DEPARTMENT OF STATE, Feb. 22d, 1817.

The secretary of state, to whom was referred the resolution of the senate of the 20th instant, requesting "the president to lay before the senate a copy of the correspondence between the government of the United States and the government of Spain, relative to the subjects of controversy between the two nations, except such part as he may deem improper to disclose," has the honor to submit to the president the accompanying papers, marked A. B, and C. as containing the information which is supposed to be wanted.

All which is respectfully submitted.

JAS. MONROE.

(A.)

Copy of a letter from the secretary of state to the Chevalier de Onis, dated

DEPARTMENT OF STATE, Jan. 14, 1817.

SIR—Having understood, in our late conference, that you would not agree to an arrangement, by which Spain should cede her claims to the territory eastward of the Mississippi, unless the United States ceded their claims to all the territory westward of that river, and that even then, your agreement would be restricted to a recommendation to your government to adopt an arrangement to that effect; it is deemed unnecessary to make you any further proposition, or to prolong the negociation on the subject of limits.

I have now to request, that you will have the goodness to inform me, whether you are willing to enter into a convention to provide compensation for spoliations, and for the injury resulting to the United States from the suppression of the deposite at New-Orleans.

I have the honor to be, &c.

JAMES MONROE.

[Translation.]

Mr. Onis to the secretary of state.

16th January, 1817.

SIR—I have received your official letter of the 14th inst. in which you are pleased to make known to me, that, having understood in our last conference, that I would not accede to an arrangement, by which Spain should cede her pretensions to the territory east of the Mississippi, if the United States did not relinquish theirs to the west of that river, and that, even in this case, my accession would be limited to recommending to my government the adoption of this project, it appeared to you useless to make me more propositions to prolong the negociation on the subject of limits between the two governments, and you only desired to know if I was disposed to sign a convention, to provide compensation for the injuries occasioned to the United States by the cruizers of his majesty in the late war, and for those which resulted to the United States from the suppression of the deposite at New Orleans.

In answer to this letter, you will permit me to observe, that, in the conference referred to I had the honor to exhibit to you the full powers of my sovereign, in which he authorizes me to negociate, adjust and sign a treaty, or convention, with the United States, in which should be arranged not only the indemnities due to the subjects and citizens of both nations, for the injuries they had suffered from the last war between his majesty and Great Britain to the present, in contravention of the law of nations, and the existing treaty between the two powers, but also to fix the respective limits to the satisfaction of both. The intention of his majesty (and in this I believe the two governments agree) is not confined to a partial arrangement, which might have

in existence the disagreements which have unhappily arisen between them from the effect of circumstances. His majesty, fully convinced that no treaty or convention can be durable, unless it is founded in equality and mutual convenience, has particularly directed me, that keeping in mind the reciprocal, political and commercial interests, which unite the two nations, I should so adjust the definitive arrangement with the person whom the president should authorize to that effect, that no controversy could ever again arise between them.

I cannot conceal from you, that, to arrive at this end, it is indispensable to begin by amicably discussing and agreeing upon the rights of each of the two powers, and that the result of this discussion is, what ought to guide us in arranging the indemnities and fixing the limits which may be just and mutually convenient to the two nations. You had the goodness to say to me, that this method had been adopted by you and Mr. Cevallos, and that, if we renewed it, precious time would be lost without our being able to agree. In such a dilemma, and anxious to contribute on my part to accelerate the negociation, I took the liberty to propose to you the only other method which appeared to me to exist, besides the one which I have just mentioned, to arrange these differences, which is this: that the two powers, throwing off all idea of aggrandizement, and sacrificing resentments and complaints of little importance, should proceed, with good faith, to fix limits between them which should be mutually convenient, which should not be liable to controversy, or be unknown to, or violated by, the respective subjects of each.

You did me the honor to applaud a proposition so frank and liberal, as dictated by equity and good faith—and made known to me, with the same frankness, that the United States desired to unite to its dominions all the territories which belong to Spain to the east of the Mississippi; and that, for them, they would offer to Spain those which were between the rio del Norte and the Colorado. But as not only these lands, but all those which lie between the Colorado and cape North, drawing a line by the river Mermento, or Mermentao, towards the Presidio of Adais, and from thence by the Arroyo Onda towards Natchitoches, are a part of the province of Texas, belonging to, and in the uninterrupted possession of his majesty, without there having been, in relation thereto, any dispute between France and Spain, that dispute being solely as to Natchitoches, which fort the French raised, unjustly, in the territory of his catholic majesty; it results that this proposition not only does not offer compensation to his majesty for West and East Folorida, whose cession the United States intimate would be very agreeable to them, but it involves the relinquishment of the property and possession which his majesty has of the territory in the province of Texas, which lies between the Colorado and the vicinity of Natchitoches.

To propositions so distant from the equality and reciprocal convenience in which we have agreed to treat these affairs, I answered, that, as the powers of his majesty had been hastily sent to me, by Mr. Cevallos, to take advantage of the departure of Mr. Brent, I have not received express instructions ouching the entire cession of the two Floridas, which the United States wished: and, although they prove to me the desire of his majesty to accommodate them in all arrangements which may be compatible with his interests, I saw myself obliged to wait for instructions on this point, of so much the greater importance, as it relates to the cession by his majesty to the United States of the port of Pensacola, which was the key of the Gulf of Mexico, the best port of that Gulf, and which was the more necessary to his majesty for the security of his possessions; but that, in the mean time, if you should propose to me, on the part of this government, to make the Mississippi the frontier, I should see in that proposition a disposition on the part of the United States to offer some equivalent, and I would recommend it to the consideration of his majesty as a fixed and stable limit, to assure the peace and tranquility of the two nations.

I hope that you will recognise in this exposition the sincerity and ingenuousness with which I proceed, and that you will, on a view of it, adopt, of the two modes proposed for setting on foot the negociation, that which will be most agreeable to the United States. The first, that is to say, that of discussing and agreeing upon the reciprocal rights and pretensions of the two nations, is the safest, and that which ought to conduct us with the greatest precision, to the indemnities and to the establishment of limits between them, since nothing is more easy than that, each point of justice being agreed upon, the equivalent to it should be arranged upon principles of equality and reciprocal convenience. The second is shorter, but it requires a relinquishment of all views of aggrandizement on both sides, and that each government, adopting as a basis the *uti possidetis*, either of the year 1792, which is the one fixed on by the allied courts in the general pacification for the recognition of the right of property in their possessions, or that of the year 1763, after the conclusion of the treaty of peace between Spain, France and England, in which treaty the limits of their provinces were fixed, and the two Floridas were separated, the East from Spain and the West from France, by transferring them in full sovereignty to England, they may come to a just and friendly understanding, so as to do away these disagreements. I am ready to discuss with you in the first mode just referred to. I am, also, ready to treat with you by adopting the second: and I flatter myself that I shall, in either case, give you proofs that I will not depart from what is due to justice, equity, and the mutual convenience of the two nations. I renew to you, &c.

LUIS DE ONIS.

Copy of a letter from the secretary of state, to the Chevalier de Onis, dated

DEPARTMENT OF STATE, Jan. 25, 1817.

SIR—I have had the honor to receive your letter of the 16th, in reply to mine of the 14th of this month.

It having been the invariable desire of the United States to settle all differences with Spain on just and fair conditions; it is seen with much regret, that a similar disposition is not manifested on the part of your government.

Finding by your letter, that I had distinctly understood the views of your government, as explained by you, in our late conference, and stated in my last letter; and perceiving also, that you still adhere to those views, which, being altogether inconsistent with the rights of the United States, are inadmissible; I have to repeat, that this government has no motive to continue the negociation, on the subject of boundaries.

In making this frank declaration, I cannot avoid expressing my surprise, that you should now find it necessary to refer again to your government, for instructions on any part of this subject. These differences have long existed, and, as far back as 1805, were fully discussed, as you readily admitted, in every circumstance appertaining to, or connected

with them, in a special mission to Madrid for the purpose. It was hoped and expected, on the restoration of the diplomatic intercourse between the two nations, that you would have been invested with full power to settle them; and it was in accord with your views, when this was found not to be the case, that the requisite authority was given to the minister plenipotentiary of the United States at Madrid. It could not have been doubted, as your government had not authorized its minister here to bring these controversies to a conclusion, that the minister of the United States would have been promptly met in his offers to effect it at Madrid. I need not repeat to you the great disappointment which the president felt, when, after the lapse of so much time, he was informed, that an expression of regret in my letter to you of the 10th of June, at the delay resulting from your want of powers, and from the necessity of transferring the negociation to Madrid, had been misconstrued into a desire that it should be transferred again to the United States. On examining, however, the tenor of your commission, and the communications between Mr. Erving and Mr. Cevallos, both of which seemed to contemplate a prompt conclusion of the business here; the idea now brought forward in your letter, of a further resort to your government for other instructions, was surely the last to enter into the anticipations of this government.

It is proper to add that I understood you to conceive in our late conference, fully with me, in the sentiments, that any further discussion of subjects, which had been already so often discussed and completely exhausted, would be useless, since it could not be presumed that any change of opinion on any point, would take place on either side. Each party understands its rights, and has, doubtless, made up its mind as to the conditions it is willing to accept. To those suggested by you, as being worthy the consideration of your government, this government cannot agree.

Under these circumstances I have again to request that you will do me the honor to inform me, whether you are willing to conclude a convention, to provide indemnity for spoliations, and the suppression of the deposite at New-Orleans as mentioned in my last letter.

I have the honor to be, with the most perfect consideration, sir, your very obedient servant,

JAMES MONROE.

[Translation.]

Mr. Onis to the secretary of state.

10th February, 1817.

SIR—I have received the official letter which you did me the honor to address to me, under the date of the 25th of last month, stating that notwithstanding the desire the president had to adjust all differences between Spain and the United States on just conditions, and to their mutual convenience, it was seen, with great regret, that a like disposition was not manifested on the part of Spain.

You support this opinion on the ground that I adhere to the same sentiments which my government manifested in former times; and also, that the president, seeing the powers with which his majesty had been pleased to honor me, could not comprehend why I should think it necessary to recur to my sovereign to obtain new instructions. You will permit me to observe, that the number of privateers armed in the ports of this country, to cruise under an unknown flag against the Spanish commerce, have obstructed in such a manner the communications between the peninsula and these states, that the accidental circumstance of Mr. Brent's having taken charge of the duplicates of his majesty's powers, has alone obtained for me the receipt of them, and that I am even yet without the originals: with which, doubtless, his majesty sent me instructions, and communicated to me his reasons for transferring the negociation here. I can assure you I am entirely ignorant of what has passed in Madrid between Mr. Erving and Mr. Cevallos, and that I am not less so of the motives which have induced his majesty to transfer the discussion here, notwithstanding I had informed him, that I had myself proposed to you that authority and instructions should be given to Mr. Erving in relation to it, it being clear to me, that his majesty desired nothing with more anxiety than to see an affair terminated, which must be the precursor of the reciprocal intimacy, which should be established between the two governments, for the mutual benefit of their respective subjects and citizens.

If I might be permitted to conjecture the motives which have induced his majesty to transfer the negociation here, I believe I should not mistake in designating, as the principal one of them, the knowledge his majesty has of your talents, of your justice, (justification) and of the conciliatory disposition which you manifested in your conferences with Mr. Cevallos, to concur in the settlement of these discussions; and, as the second, this: that, in the moment of the arrival of the queen, his august spouse, and of the festivities incident to this happy event, his majesty could not give the attention which was requisite to these affairs, which he considered of the first importance. You are too just not to appreciate these motives, and not to see in them any thing but a new proof of the anxiety of his majesty to avoid all delay or inactivity. The president, informed by you of these motives, will, I flatter myself, form the same opinion, and see the necessity of my waiting for the necesary instructions from my sovereign, before I subscribe to the points which ought to form the basis of this treaty. The short delay which may result from this, will be amply compensated for and with mutual advantage, if you would place me in a situation to inform my government of the principal points on which the government of the United States wish to see this negociation turn. You know that as yet you have only made known to me, in our first conference, that if we were to go into a discussion of the rights of the two powers, as was done by you and Mr. Cevallos, much time would be lost, and each of us would retain his opinion. You know that I agreed to this: but at the same time intimated, that I saw no other more certain mode of accomplishing the object which the two powers had in view, since it must be with a knowledge of the respective rights of each party that we ought to begin in fixing the indemnities and compensations, which belonged to each, on the principles of equity, justice, and convenience; and that the only way of avoiding this and of shortening the negociation, would be, that the two powers, giving up all pretensions and all idea rivalship or aggrandisement, should agree between themselves, in good faith, to fix their limits according to equity, justice, and mutual convenience, so that they should not be liable to be violated by the subjects of the one or the other, and in a way to avoid the renewal of the complaints which had given rise to misunderstandings. You approved an idea so liberal, so generous and so demonstrative of the disposition of the king, my master, to accommodate the United States in whatever might be agreeable to them, if not incompatible with his interests; and, in conse-

quence, you made known to me, that the United States wished to unite to their dominions the two Floridas. As, in the former negociations, the cession of West Florida, to the rio Perdido, was alone spoken of, and as his majesty was ignorant of the new desires of this government, I said to you, that although I did not positively know whether his majesty would deprive himself of East Florida, and of the important port of Pensacola, which was the key of the gulf of Mexico, yet the desire of his majesty to gratify this government was great, and that it was very probable he might agree to do it, provided that, on the part of the United States, there should be offered to him a just equivalent, and one of reciprocal convenience.

I leave to your impartiality and justice, and to that of the whole world, to say, if, on the part of his majesty, a more positive proof is wanting of the interest which he takes in arranging these affairs in a friendly manner, and, if I should not find myself more authorized to doubt of equal dispositions on the part of the United States, in consequence of the proposition which you made me, not only of not giving any thing in exchange for the two provinces, and the cession of which the U. States desire, but requiring that his majesty should cede to them a part of another, which has been in the uninterrupted possession of his majesty for more than two hundred years.

I am, nevertheless, very far from judging it thus A firm and permanent arrangement of all points of difference, is equally useful and necessary to both nations. It ought to fix the basis of the happiness of their respective subjects and citizens; and to obtain this, it ought necessarily to be founded in justice, equity and mutual convenience. His majesty is disposed to conclude it on these terms; and he has too much confidence in the well known rectitude of this administration to think that it could solicit it on other terms.

You are pleased also to inform me, in your esteemed note, that to the propositions which I have suggested as worthy of the consideration of my government, that of the United States cannot agree; and that abandoning the arrangement of limits, you desire only to know if I am disposed to sign a convention for settling the injury sustained by the American commerce, and for the suppression of the deposite at New Orleans.

As the propositions which I have made to you were confined solely to the leaving to your election whether we should treat, by discussing and fixing in a friendly manner the respective rights of each power, to the end that, having agreed to them, and the obligations of each upon the other being known, the compensation to which each may be entitled might be settled: or that, leaving things to remain in the state they were, we might agree in a friendly manner as to what would suit each—I cannot conceive that the United States should be of opinion that they cannot agree to any of these points.

I would offend my own delicacy if, after being assured by you that the United States were disposed to terminate all the differences which exist between the two nations by a treaty founded on justice, equity, and mutual convenience, I could believe that the United States would repel the only means which, in my opinion, exist to arrive at this end. I judge, then, that I have not explained myself with sufficient clearness, or that I have not well comprehended you; and I again renew my propositions in a plain, clear and demonstrative manner, giving you an example which you cannot but find just.

Let us suppose (and it is a very proper supposition) that you and I are intimate friends; you have purchased an estate adjoining one of mine; (I do not now inquire whether you purchassed it from a person who had a right to sell it or not—but you purchased it;) and, be it because some officious person said so, or because you thought so, you were of opinion that there was included in this purchase a part of my estate which I worked, took care of, and possessed As soon as you had made this purchase, and observed that possession was not given you of the land I worked, and which you believed to belong to you, you asked me to give it up to you. I observed to you that it was mine, that the land which you had purchased had also belonged to me formerly, that I had ceded it to him who had sold it, such as he had delivered it, and in no greater extent; and that, consequently, he could not transfer to you more than I had given to him. You and I refer to the seller, and he tells us that he never sold the land to you which you require, and never obtained it from me, nor had an intention of acquiring it. Notwithstanding this declaration, which is decisive and irrevocable, I, from motives of friendship for you, and to do away all doubt on the point, propose to you that we should discuss the affair in a friendly manner, and assure you, that if you present to me unquestionable documents to prove that it belongs to you, I am ready to give it up. I ask you, dispassionately, if this proposition could be considered as inadmissible. I go further. I, who am anxious to accommodate you because you are my friend and a good neighbor, knowing that you desire to get part of my territory to round out yours, and to facilitate the exportation of your produce, as there is a navigable river passing through it, carry my friendship and condescension so far as to say to you, that we will agree between ourselves, by a friendly investigation, what belongs to each; and, this being settled, I am ready to cede to you the lands you desire, for an equivalent founded in equity, justice, and reciprocal convenience, fixing the limits between us in such a way that our servants should not engage us in quarrels and contests, as, it being our desire to live in the greatest harmony, we were equally interested in avoiding every subject of difference. Will you say to me that these friendly propositions, are inadmissible? I believe not. Such, then, neither more nor less, are those which I have suggested to you in my former official note, and renew to you by this, hoping that, taking them into serious consideration, you will view them as just, equitable, and even generous.

You cannot but know that the convention you propose, limited to the indemnification for injuries done to the American commerce, by the cruizers and tribunals of Spain, and by the suppression of the deposite at New-Orleans, will not accomplish fully the object which the two nations propose to themselves, of extinguishing all disagreements. Nevertheless, to give another proof of the deference of his majesty to the wishes of this republic, I agree to the negociation with you on these two points, and to conclude a convention as to them, in which shall be embraced the just reclamations which his majesty shall produce against this government, and the various arrangements he desires to place in it for the encouragement of the commerce between the two nations, and to avoid injuries, such as those, which, from the want of explicitness in the last treaty, have been experienced by the respective subjects of both. I will add more,

and it is, that the first point to which you refer, being founded in the treaty which exists between the two nations, I will subscribe to it without difficulty; and as to the second, it is of so small an amount, that if I do not succeed in demonstrating to you that these injuries have not existed, or that they are much exaggerated, and that the United States have already admitted that they were satisfied for them, I will have no difficulty even as to them. I ought likewise to observe to you, that it will be easy to include in this same convention or treaty, a provisional arrangement of limits, without detaining us to fix them with exactitude. If the United States do not desire to make an essential change in the established limits, fixed by the treaties of 1763, 1764, 1783, 1795, and 1800, and that this arrangement should only apply to the uncultivated lands to the north of the Missouri, the boundaries of which were never settled between France and Spain, this question might be left for commissioners, named by each party, and their decision might be considered as part of the convention: But in any case, the most efficient method of concluding these affairs will be, that you should have the goodness to say to me, with frankness, what are the real views of the United States, what are the real and true compensations they are disposed to offer for the country they desire to obtain from his majesty. You may be assured that I will support, earnestly, proposals that are just and reciprocally convenient, and that, on the return of the courier, I shall be able to sign, under the powers I now have, a treaty mutually satisfactory to both parties, we, in the mean time, agreeing upon all the articles or minor considerations. You cannot but know that the instructions ought to be adapted to the greater or lesser territory of his majesty which the United States may desire to add to their dominions; and that, if they desire none, little difficulty can occur on the subject of indemnities between two powers animated by conciliatory and just sentiments.

I renew to you my respects, &c.

LUIS DE ONIS.

Copy of a letter from the secretary of state to the chevalier de Onis, dated

DEPARTMENT OF STATE,
February, 20, 1817.

SIR—I have had the honor to receive your letter of the 10th instant.

From full consideration of the contents of this letter, it appears, that, although you expect instructions at an early date, to negociate and conclude a treaty, for the adjustment of all differences between the United States and Spain, which you manifest a desire to accomplish, you do not consider yourself authorised to do so on any one point, at this time. I will thank you to state whether I have understood correctly the idea which you intend to convey. In case I have, I have only to remark, that although the delay is particularly to be regretted, it is not perceived, that any advantage can be derived from entering into the negociation, before you have received your instructions.

I have the honor to be, &c.

JAMES MONROE.

Translation of a letter from the chevalier de Onis to the secretary of state, dated,

Washington, February 21, 1817.

SIR—In the official letter which you did me the honor to direct to me yesterday, you state that you had taken into consideration the contents of mine of the 10th instant, and, confining yourself to one point only out of many on which it touches, of the greatest importance, as I think to the interest of both nations, you say, that if you had correctly understood the meaning of my letter, at the same time that I manifest a desire to conclude a treaty for the adjustment of all the differences existing between Spain and the United States, I do not consider myself authorised to do so, until I receive the instructions from my sovereign, of which I am in daily expectation. You ask me if this is the true idea which I had wished to give you, and add, that if it is, although we must both lament the delay, it is not perceived that any advantage can be derived from entering into the negociation until I receive my instructions.

In my note above mentioned, I made known to you, with the candor and sincerity which characterise me, the causes to which I attributed the delay in receiving the instructions consequent on the powers which his majesty had given me; and I do not doubt that the president will have found them as just, as the reasons I stated to you demonstrating that a partial negociation, which did not embrace all the points of disagreement between the two nations, cannot accomplish the one or the other—which is to get clear of these disagreements, and to take care that they are not renewed in future. The treaty in question ought to provide for the just reclamations of the subjects and citizens of the respective parties; that the limits between the two powers should be fixed agreeably to their respective rights, to justice and reciprocal convenience Finally, it ought to comprehend different stipulations analagous to the new state of relations of intimacy which is about to be established between the two governments for the greater encouragement of their reciprocal commerce. You know that all these points have so intimate a connection with each other, that it is not easy to separate them, and on the other hand they are of such importance that I consider it necessary to wait the arrival of my instructions, before I conclude definitely a treaty involving affairs of such magnitude. Nevertheless, as we cannot but feel this delay very sensibly, which most probably will be short, anxious on my part to lessen it so far as depended on me, I have suggested to you that we might begin to discuss the points of least importance, to the end of having the work in a state of forwardness when the instructions should arrive; but, since you prefer waiting for their arrival, I will agree to what you may resolve on; persuaded that you do not take less interest than I do, in fixing the relations of amity between the two countries on a footing the most solid and durable.

LUIS DE ONIS.

CONGRESS.

☞We are compelled to postpone for our next paper the usual journal of the proceedings of congress, when every thing useful for *record* shall be inserted. The *list of acts*, however, shews what was done. The following is immediately and extensively interesting:

HOUSE OF REPRESENTATIVES.

The following is the message of the president, transmitting to the house of representatives his objections to the bank bonus bill:

To the house of representatives of the United States:

Having considered the bill this day presented to me, entitled "an act to set apart and pledge certain funds for internal improvements;" and which sets apart and pledges funds, "for constructing roads and canals, and improving the navigation of water courses, in order to facilitate, promote and give

security to internal commerce among the several states, and to render more easy and less expensive the means and provisions for the common defence," I am constrained, by the insuperable difficulty I feel in reconciling the bill with the constitution of the United States, to return it, with that objection, to the house of representatives, in which it originated.

The legislative powers, vested in congress, are specified and enumerated in the 8th section of the first article of the constitution; and it does not appear that the power, proposed to be exercised by the bill, is among the enumerated powers; or that it falls, by any just interpretation, within the power to make laws necessary and proper for carrying into execution those or other powers vested by the constitution in the government of the United States.

"The power to regulate commerce among the several states," cannot include a power to construct roads and canals, and to improve the navigation of water courses, in order to facilitate, promote and secure, such a commerce, without a latitude of construction, departing from the ordinary import of the terms, strengthened by the known inconveniences which, doubtless, led to the grant of this remedial power to congress. To refer the power, in question, to the clause "to provide for the common defence and general welfare," would be contrary to the established and consistent rules of interpretation; as rendering the special and careful enumeration of powers, which follow the clause, nugatory and improper. Such a view of the constitution would have the effect of giving to congress a general power of legislation, instead of the defined and limited one hitherto understood to belong to them; the terms "common defence and general welfare," embracing every object and act within the purview of a legislative trust. It would have the effect of subjecting, both the constitution and laws of the several states, in all cases not specifically exempted, to be superseded by laws of congress; it being expressly declared, "that the constitution of the United States, and laws made in pursuance thereof, shall be the supreme law of the land, and the judges of every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding." Such a view of the constitution, finally, would have the effect of excluding the judicial authority of the United States from its participation in guarding the boundary between the legislative powers of the general and of the state governments; inasmuch as questions relating to the general welfare, being questions of policy and expediency, are unsusceptible of judicial cognizance and decision.

A restriction of the power "to provide for the common defence and general welfare," to cases which are to be provided for by the expenditure of money, would still leave within the legislative power of congress all the great and most important measures of government; money being the ordinary and necessary means of carrying them into execution.

If a general power to construct roads and canals, and to improve the navigation of water courses, with the train of powers incident thereto, be not possessed by congress, the assent of the states, in the mode provided by the bill, cannot confer the power. The only cases in which the consent and cession of particular states can extend the power of congress are those specified and provided for in the constitution.

I am not unaware of the great importance of roads and canals, and the improved navigation of water courses; and that a power in the national legislature to provide for them, might be exercised with signal advantage to the general prosperity.—But seeing that such a power is not expressly given by the constitution; and believing it cannot be deduced from any part of it, without an inadmissable lattitude of construction, and a reliance on insufficient precedents; believing, also, that the permanent success of the constitution depends on a definite partition of powers between the general and the state governments, and that no adequate landmarks would be left by the constructive extension of the powers of congress, as proposed in the bill, I have no option but to withhold my signature from it; cherishing the hope, that its beneficial objects may be attained, by a resort for the necessary powers, to the same wisdom and virtue in the nation, which established the constitution in its actual form, and providently marked out, in the instrument itself, a safe and practicable mode of improving it, as experience might suggest.

JAMES MADISON.

March 3, 1817.

On the question "shall this bill pass, the president's objections notwithstanding?" the vote stood as follows:

YEAS—*Speaker*,* (Mr. Clay) Messrs. Alexander, Archer, Betts, Birdseye, Breckenridge, Brooks, Cady, Calhoun, Chappell, Clendennen, Comstock, Conner, Creighton, Culpepper, Forsyth, Gaston, Griffin, Hahn, Hall, Harrison, Henderson, Herbert, Hopkinson, Huger, Hulbert, Ingham, Irving, N. Y. Johnson, Ky. Kent, Kerr, Va. Kilbourn, Little, Lovett, Lyle, Middleton, Milnor, Jer. Nelson, Ormsby, Peter, Pickering, Reynolds, Ross, Savage, Scheuck, Sharp, Sheffey, Tate, Taylor, N. Y. Telfair, Wallace, Webster, Wendover, Whiteside, Wilde, Wilkin, Thos. Wilson, Wm. Wilson, Yancey, Yates—60.

NAYS—Messrs. Adams, Atherton, Baer, Baker, Barbour, Bassett, Blount, Boss, Bradbury, Carr, Ms. Clark, N. C. Clayton, Davenport, Desha, Dickens, Edwards, Fletcher, Forney, Goldsborough, Goodwyn, Hale, Hawes, Hungerford, Irwin, Penn. Jewett, Johnson of Va. King, Law, Lowndes, Lyon, William Maclay, Marsh, Mason, M'Coy, Mills, Hugh Nelson, Noyes, Parris, Pitkin, Pleasants, Reed, Root, Ruggles, Smith Md. Southard, Stearns, Strong, Sturges, Tallmadge, Taul, Vose, Ward, Ms. Ward, N. Y. Ward, N. J. Wilcox, Williams—56.

Two thirds being required to decide the question affirmatively, the bill did not pass.

List of Acts

PASSED AT THE SECOND SESSION OF THE FOURTEENTH CONGRESS, JUST CLOSED.

An act to repeal the second section of the act concerning the pay of the officers, seamen and marines of the navy.

An act supplementary to an act to regulate the duties on imports and tonnage.

An act for the relief of Nathaniel Williams.

An act directing the discharge of Nathaniel Taft from his imprisonment.

An act for the relief of Wm. Haslett.

An act for the relief of John Ricaud.

An act authorising a new edition of the land laws.

An act making a partial appropriation for the navy, for the year 1817.

An act for the relief of Oliver Spellman.

An act for the repeal after the present session of congress of the act to change the mode of compensation to the members of the senate and house of representatives and the delegates from the territories, passed March 19, 1816.

An act to extend the provisions of the act to authorise certain officers and other persons to administer oaths, passed in 1798.

And act to amend the act authorising the payment of a sum of money to Joseph Stewart and thers.

*The speaker always has the "right" of voting—but exercises it only when his vote can affect a question.—REG.

An act for the relief of Henry Malcolm.

An act for the relief Jacint Laval.

An act in addition to the act for the relief of George T. Ross and Daniel Patterson.

An act providing for the division of certain quarter sections in future sales of public lands.

An act for the relief of Lewis Olmstead.

An act authorising the sale of certain grounds belonging to the United States in the city of Washington.

An act for the relief of Alexander Holmes, and Benj. Hough.

An act supplementary to the act for the relief of persons imprisoned for debts due to the United States.

An act for the relief of Peter Kendall.

An act for the relief of certain Creek Indians.

An act making an appropriation for opening and cutting a road therein described.

An act making further provision for repairing the public buildings and improving the public square.

An act authorising a subscription for printing the tenth volume of public documents.

An act supplementary to the act further to amend the several acts for the establishment and regulation of the treasury, war and navy departments.

An act for the relief of certain officers.

An act for the relief of John De Castanado.

An act to continue in force the 2d section of the act supplementary to the act to regulate the duties on imports and tonnage.

An act to authorise the extension of the Columbian turnpike road in the district of Columbia.

An act to provide for furnishing the house of the president of the United States

An act making provision for the support of the military establishment during the year 1817.

An act allowing further time for entering donation rights to lands in the district of Detroit.

An act to set apart certain public land for the cultivation of the vine and the olive.

An acting making appropriation for carrying into effect certain Indian treaties.

An act to incorporate the subscribers to certain banks in the district of Columbia, and to prevent the circulation of unchartered bank notes within the same.

An act authorising the payment of a sum of money to Teacle Savage and others.

An act to amend the act of last session making further provision for military services during the late war.

An act transferring the duties of commissioner of loans to the bank of the United States, and abolishing the office of commissioner of loans.

An act to continue in force an act of 1815 further providing for the collection of duties on imports and tonnage.

An act for the relief of Mary Wells.

An act for erecting a light-house on the west chop of Holmes Hole channel.

An act for the relief of James H. Boisgervais.

An act for the relief of Wm. Oliver.

An act supplementary to the act directing the disposition of money paid to the courts of the United States.

An act for the relief of Francis Cazeau.

An act for the relief of Wm. Smith.

An act to alter and establish certain post-roads.

An act to provide for the punishment of crimes committed within the Indian boundary.

An act for compensating Peter Hagrer.

An act authorising the payment to the state of Georgia of 15 per cent. on her quota of the direct tax, for the year 1816, assumed and paid by said state.

An act for the relief of Henry Lee.

An act respecting the contracts for the printing for congress.

An act more effectually to preserve the neutral relations of the United States.

An act for the relief of Joseph Summers and John Allen.

An act for the relief of Robert Burnside.

An act to provide for reports of decisions of the supreme court.

An act for the relief of Journonville de Villiers.

An act for the relief of Charles Williams.

An act to provide for the redemption of the public debt.

An act repealing the act for the safe keeping and accommodation of prisoners of war.

An act respecting the compensation of certain collectors.

An act for the relief of the widow and children of Abraham Owen

An act making additional appropriations for paying the expences of the army and militia during the late war.

An act for the relief of the widows and orphans of the officers, seamen and marines who were lost in the United States' brig Epervier.

An act to repeal so much of acts now in force as authorises a loan of money or an issue of treasury notes.

An act to continue in force the act establishing trading houses with the Indian tribes.

An act for the relief of Peyton Short.

An act providing for the more prompt settlement of public accounts.

An act making appropriations for the support of the navy, during the year 1817.

An act repealing the assessment and collection of the direct tax.

An act authorising the payment of a sum of money to Nathaniel Seavy and others.

An act for the relief of the widow and children of Arnold H. Dohrman.

An act to fix the peace establishment of the marine corps.

An act for the relief of William Chism.

An act for the relief of George Buckmaster.

An act authorizing the payment of a sum of money to Georgia, under the articles of agreement and cession between the United States and that state.

An act for the relief of Caleb Nicholls.

An act respecting the district court of the United States in the nothern district of New York.

An act for the relief of Madame Montrieul.

An act to amend the act, authorising the payment of property lost, captured or destroyed, by the enemy while in the military service during the late war.

An act authorising the secretary of the treasury to remit certain duties therein mentioned.

An act to provide for the due execution of the laws of the United States in the state of Indiana.

An act to continue in force the act relating to settlers on the public lands.

An act authorising the deposit of papers of foreign vessels with the consuls of their respective nations.

An act to amend the act granting a bounty in lands and extra pay to certain Canadian volunteers.

An act for the relief of Joseph I. Green.

An act to authorise the re-payments of certain alien duties.

An act to regulate the trade in plaster of Paris.

An act for the relief of Isaac Lawrence and others.

An act for the relief of James Villere.

An act for the relief of Peter Caslard.

An act to regulate the territories of the United States and their electing delegates to congress.

An act for the relief of Anthony Buck.

An act for the relief of Asa Wells

An act making provision for the location of lands reserved by the first article of the treaty of 1814, between the United States and the Creek Indians.

An act to amend and explain the act giving pensions to the widows and orphans of persons slain in the public or private armed vessels of the U. States.

An act concerning invalid pensioners.

An act authorising the people of the western part of the Mississippi territory to form a state government and for the admission of the same into the union.

An act for erecting a territorial government in the eastern part of the Mississippi territory.

Resolution for admitting the state of Indiana into the union.

Resolution to employ John Trumbull to compose and execute certain paintings.

Foreign Articles.

ENGLAND, &c.

The most prominent article of intelligence in our papers is an account of an alarming riot, or "insurrection," as the *Courier* calls it, at London, on the 2d of December. A large body of the people met at Spa-Fields, to hear the report of Mr. Hunt, who had been deputed by a previous meeting to deliver an address to the prince regent. The report was far from satisfactory, and the crowd manifested a determination to obtain that redress by force which they had petitioned for in vain. A number of flags were displayed, on which were inscribed, "*Nature, truth and justice*"—"*Feed the hungry*"—"*Protect the oppressed*"—"*Punish crimes;*" two of these were *tri-colored;* a white flag had this motto, "*The brave soldiers are our brothers; treat them kindly.*" After being addressed in warm and intemperate language, to which the people replied in the most earnest and determined manner, they marched into the city in three grand divisions, where the police, supported by the military, were prepared to receive them. They, however, pushed forward, and in a short time, by breaking open arm shops, were pretty well supplied with muskets, pistols and swords; and many were armed with bludgeons. All sorts of business were suspended—many of the public offices, and most of the stores in the principal streets, were shut up—a report prevailed that these rioters were acting in concert with others in different parts of the kingdom, and all was tumult and consternation. An attack upon the tower was expected—the gates were shut, the drums beat *to arms*, the cannon loaded, and every thing prepared for a siege.

The details of the proceedings on this occasion would fill half our paper. The lord mayor exhibited astonishing firmness and perseverance, and it was probably owing to his popularity, more than any thing else, that the mobs were dispersed. The populace cheered him wherever he appeared, though they fired upon his party for making prisoners of some of their comrades. Many persons were wounded in the various rencontres, but it does not appear that any were killed on the spot. The Bank, India House, Exchange, &c. were garrisoned with soldiers, and detachments of troops were passing through the city in every direction. The military does not appear to have been used with so little ceremony as heretofore—they rather overawed than forced the mobs; a happy policy for the occasion, and probably pursued at the requisition of the lord mayor—for violence would only have increased the fury of the populace.

At 10 o'clock in the evening all was quiet—some few of the rioters were made prisoners—a chief of them, named Watson, escaped. Many houses were injured—London has not, for many years, exhibited such a scene of outrage and tumult. The stocks had a momentary fall in consequence.

An American ship has recently arrived at London, with £50,000 worth of British goods, from Philadelphia—another, so laden, had arrived at Liverpool, from New-York.

The bank of England is about (partially) to resume specie payments.

A requisition has been presented to the high sheriff of Westminster, desiring him to convene a meeting of the inhabitants of Westminster, to take into consideration the sentence passed by the court of king's bench on lord Cochrane. To this requisition, the high bailiff has felt it his duty to reply, that he does not think the proceedings of a court of judicature a fit subject on which to assemble the inhabitants for public discussion.

Lord Cochrane's fine of £100, for breaking prison, has been paid by his friends, at *one penny* each. This was the limit of the subscription.

Riot at Dundee.—About the 5th Dec. a mob of 2000 persons collected at Dundee, and destroyed and pillaged upwards of 100 shops, chiefly of meal-sellers, before they were quieted. They also fired a house.

At *Chippenham*, in Wiltshire, a mob destroyed a very extensive mill, with a large quantity of grain.

At *Sheffield* a mob paraded the streets with a loaf of bread, soaked in blood, stuck on a pole.

At *Bristol* a very large meeting of the people was held, at which resolutions, of a very decided character, against the administration of affairs, were passed.

The riot in *London* appears to have had a much more alarming character than was represented in the papers.

The duke of Wellington as suddenly returned to France as he arrived from there. His mission is understood to have had some connection with the fact that France was unable any longer to pay her "deliverers."

The *Luddites* are still in great force at Nottingham—committing occasional depredations.

Grain has not risen in price in England so much as was expected. There has been considerable supplies from the continent. Dantzic wheat, however, sold as high as 132*s.* per quarter.

The lord mayor of London has purchased in Smithfield market a bullock, to have it slaughtered and cut up in joints, in order to judge of the profits of the retail butchers. He has likewise purchased a sack of flour, to be made in loaves, for the purpose of ascertaining the actual gains of the bakers.

A letter from a gentleman who resides in Devonshire, states, that his family is supplied with the best butchers' meat at 3½*d.* per pound, and he has a right of making choice of whatever joints he wishes to have.

Stocks, Dec. 31.—3 per cent. consols. shut; do. for opening, 63 34-48ths; red. 62 15-28ths.

Representation—In the town of Kilmarnock, Scotland, containing 13,000 inhabitants, there is only one person who has a right to vote for a member of parliament!

The reform of parliament is warmly discussed in England; and we hope the spirit of the people may extort justice from their oppressors.

London, Dec. 10.—Yesterday the lord mayor, attended by Mr. Alderman Goodbehere, the recorder, sheriffs, city officers, and several members of the common council, proceeded to Carlton house, where they presented the following address to his royal highness the prince regent seated on the throne.

To his royal highness, the prince of Wales, regent of the united kingdom of Great-Britain and Ireland.

The humble address and petition of the lord mayor, aldermen, and the common council of the city of London, in common council assembled.

May it please your royal highness,

We, his majesty's most faithful and loyal subjects, the lord mayor, and common council of the city of London, in common council assembled, humbly approach your royal highness, to represent our national sufferings and grievances, and respectfully to suggest the adoption of measures which we conceive to be indispensably necessary for the safety, the greatness and the prosperity of the realm.

We forbear to enter into the details of the afflicting privations and sufferings that every where exist; the distress and misery which, for so many years, has been progressively accumulating, has at length become insupportable. It is no longer partially felt, nor limited to one portion of the empire, the commercial, the manufacturing and the agricultural interests, are equally sinking under its irresistable pressure, and it has become impossible to find employment.

We beg to impress upon your royal highness that our present complicated evils have not arisen from a mere transition from war to peace, nor from any sudden or accidental causes, neither can they be removed by any partial or temporary expedients.

Our grievances are the natural effect of a rash and ruinous war, unjustly commenced and pertinaciously persisted in, when no rational object was to be obtained.—Of immense subsidies to foreign powers to defend their own territories, or to commit aggressions on those of their neighbors—of a delusive paper currency—of an unconstitutional and unprecedented military force in time of peace—of the unexampled and increasing magnitude of the civil list—of the enormous sums paid for unmerited pensions and sinecures, and of a long course of the most lavish and improvident expenditure of the public money throughout every branch of the government;—all arising from the corrupt and inadequate state of the people in parliament, whereby all constitutional control over the servants of the crown has been lost and parliament have become subservient to the will of ministers.

We cannot forbear expressing our grief and disappointment, that notwithstanding your R. H's. gracious recommendation of economy, at the opening of the last session of parliament, your ministers should have been found opposing every proposition for lessening the national expenditure, and that they should have been able to support and sanction their conduct in defiance of your R. H's. recommendation, and the declared sense of the nation, affording another proof of the corrupt state of the representation, in addition to those facts so often stated and offered to be proved at the bar of the house of commons, in a petition presented in 1793, by the hon. Charles, now lord Grey, whereby it appeared that the great body of the people were excluded from all share in the election of members and that the majority of the honorable house were returned by the proprietors of rotten boroughs, the influence of the treasury, and a few powerful families.

We can, sir, no longer support out of our dilapidated resources, an overwhelming load of taxation, and we humbly submit to your royal highness, that nothing but a reformation of these abuses, and restoring the people to their just and constitutional right in the election of members of parliament can afford a security against their recurrence, calm the apprehensions of the people, allay their irritated feelings, and prevent those misfortunes in which the nation must inevitable be involved, by an obstinate and infatuated adherence to the present system of corruption and extravagance.

We therefore humbly pray your royal highness to assemble parliament as early as possible; and you will be graciously pleased to recommend to their immediate consideration these important matters, and the adoption of measures for abolishing all useless places and sinecures; for the reduction of our present enormous military establishment; for making every practical reduction in the public expenditures, and restoring to the people their just share and weight in the legislature.

Signed by order of the court,

HENRY WOODTHORPE.

To which his royal highness was pleased to make the following answer:—

It is with strong feelings of surprise and regret, that I receive this address and petition of the lord mayor, alderman and commons of the city of London, in common council assembled.

Deeply as I deplore the prevailing distress and difficulties of the country, I derive consolation from the persuasion that the great body of his majesty's subjects, notwithstanding the various attempts which have been made to irritate and mislead them, are well convinced that the severe trials which they sustain with such exemplary patience and fortitude, are chiefly to be attributed to unavoidable causes, and I contemplate with the most cordial satisfaction the efforts of that enlightened benevolence which is so useful and laudably exerting itself throughout the kingdom.

I shall resort with the utmost confidence, to the tried wisdom of parliament, at the time, which, upon the fullest consideration, I have thought most advisable under the present circumstances of the country; and I entertain a perfect conviction that a firm and temperate administration of the government, assisted and supported by the good sense, public spirit, and loyalty of the nation, will effectually counteract those proceedings, which, from whatever motive they may originate, are calculated to render temporary difficulties the means of producing permanent and irreparable calamity.

FRANCE.

The king is unwell with the gout—great efforts are making to negociate loans to supply the enormous deficit in the budget of 1817—discontents and seditions are spoken of, in which gen. Vandamme is supposed to have a part. But other accounts say that all is quiet.

A conspiracy is said to have been detected at Bordeaux. It is said to have been the intention to drive out the Bourbons, and declare Maria Louisa regent of France.

The exportation of corn from France is prohibited.

Gen. *Savary* has been tried and condemned to death, *par contumace.*

France, like England, is filled with riots for the want of bread and employment. The government,

it seems, cannot pay, and yet is afraid to ask the retirement of, the allied troops.

The French press seems even yet too free for the *clemency* of the Bourbons—new decrees have been introduced to *regulate* it.

The journal of Grenoble, of the 19th, publishes the following article.

"The emperor of Morocco has just written to the king, offering to permit corn to be exported from the ports of his kingdom to Marseilles, in any quantity that should be necessary. His majesty has answered this prince with his own hand, thanking him, and accepting his offer. This fact has been communicated to us by a person in this city, worthy of faith, and well informed."

The French papers almost made the late riots in London to amount to a revolution!

The following is extracted from a London paper of Dec. 19—"On the 8th inst. the festival of the conception of the virgin Mary was observed with its usual solemnities among the French Catholics. On this occasion the figure of the virgin Mary was placed in the open court opposite the museum, at Rouen, according to immemorial custom, to which the people flocked in numbers. But, to the astonishment of every worshipper, the statue had been decorated, by some unknown persons, with a beautiful tri colored cap, and the sash which Napoleon Bonaparte usually wore suspended over the shoulder. The device occasioned an electric sensation throughout the city; and for some time not one would dare to remove the revolutionary emblems for fear of defiling the sacred figure."

NETHERLANDS.

The further exportation of corn from Holland, &c. is said to be prohibited.

SPAIN.

An extensive conspiracy in Spain is said to have been detected. Several of the alleged conspirators are confined in the fortress of Pampaluna. The most gloomy despotism reigns in Spain.

Great complaints are made by the British against Ferdinand for his regulations about their manufactures; the duties on many of which amount to a prohibition. Besides those of British manufacture it appears that his edicts extend to all East India cottons, with nankeens &c. The supply of Spain with these is granted as a monopoly to the Philippine company, who receive their stock from Manilla.

The imbecile state of this kingdom is manifested by the continued blockade of *Cadiz* by a few patriot privateers, by whom many rich captures continue to be made. The long talked of expedition against the colonies remains in *statu quo* for want of money, and it seems that the merchants are themselves about to fit out a frigate to protect the trade at their own expence—the king being unable to do it!

Nobility. The king has granted to a community of *Dominician Monks* the privilege of selling, for their own profits, four titles of nobility, those of marquis and count.

ITALY.

The senate of Turin have ordered all the people to make a return of the quantity of grain and bread stuffs they have on hand, on pain of confiscation of all the property detected.

The Roman states are over-run with *armies* of robbers, one of which lately defeated the troops of the pope in a regular battle. Their depredations are very extensive.

NORTHERN EUROPE.

Some "foolish war reports," at Vienna, lowered the exchange in one day 20 per cent. It was reported that Russia was going to war with Turkey, and that Austria was to "assist."

"*Conscription*"—worse than the "French."—In "delivered" *Poland* every man, without distinction of rank, origin or religion, is to perform military service as required by his master, the emperor of Russia, for the space of ten years—beginning at the age of 20 and ending with that of 30.

The new king of Wirtemberg is spoken of highly as being a *gentleman.* He is actively employing his power to ameliorate the condition of his people. By abolishing some of the trappings of his court, he has done more than all the boasted charities of the British royal family, with the bench of bishops and train of placemen and pensioners, amount to. It is really pleasant to find an honest man among the breed of kings.

EAST-INDIES.

The British forces in Celebes have obtained a decisive victory over the natives at Macassar.

1500 houses were destroyed by fire in the town of Port Louis, isle of France, in Sept. last.

Bonaparte.—A London paper of the 2nd of Dec. mentions, that Bonaparte is actually engaged in composing the "annals of his life;" and that he employs count de les Casas as his amanuensis.—The count has informed a Mr. Warden, that the campains of Egypt and Italy, and what Bonaparte calls, "my reign of a hundred days," were already completed, and that the intermediate periods were in a progressive state.

BARBARY POWERS.

There are reports that the cruisers of Morocco have captured some Dutch ships, and that, in consequence, admiral Capellan, with his squadron, had proceeded to Tangiers to demand satisfaction.

WEST-INDIES.

A *famine* seems to be apprehended in Martinique, yet "colonial" regulations appear to preponderate. Flour will be admitted on a duty of 6 per cent. and wheat may be brought "directly from the United States" in "French vessels," on a duty of 4 per cent.

HAYTI.

The rival chiefs appear to have settled their disputes for the present, and all is quiet.

BRITISH AMERICA.

The Canada papers have many details of the *petit guerre* carrying on in the north west, between the the Hudson bay and North West companies.

"SPANISH AMERICA."

It is said that both the English and Spanish charge des affaires, at Rio Janeiro, have protested against the expedition of the Portuguese against the provinces of the Rio de la Plata!—which, it is probable, will amount to nothing. Their force had, at the last accounts, accomplished—nothing.

A general action is said to have taken place near Barcelona, on the 23d December, in which the patriots under general Piar were completely defeated, losing about 4000 men, a remnant only escaping into Barcelona, where they were closely blockaded, as it appears by land and sea

Gen. Bolivar and admiral Biron, however, have declared the whole coast of the main in a state of blockade. Their force is said to amount to 2500 or 3000 men.

MEXICO.

It is reported that 16 millions of dollars have recently arrived at Vera Cruz, under a strong escort. The celebrated Dr. *W. D. Robinson* said to have been killed at Boquilla, is a prisoner with the Spaniards.

Bills of Mortality.

For the year 1816.

BOSTON.

Total deaths 904—smallest number in June, 53; greatest in February, 98. Under 1 year 186; 1 to 5 years 127; above 60, 112. *Diseases*—consumption 180; fevers 120; infantile 195; apoplexy 18; dropsy 12; still born 31; old age 37; mirasmus 37, &c. &c.

NEWPORT, R. I.

Deaths in the Rhode-Island monthly meeting of the society of Friends, or Quakers, residing at Newport and consisting of more than 400 persons.

In 1812—8 persons, the youngest 60, the oldest 84 years of age.

In 1813—8 persons; the youngest 49, the oldest 85 years of age.

In 1814—1 person only, aged 87 years.

In 1815—5 persons; the youngest 48, the oldest 90 years of age.

In 1816—9 persons; the youngest 58, the oldest 94 years of age.

Total amount of the ages of the above 31 persons, 2298 years, giving an average of 74 years and upwards to each.

During these five years not a single child died, nor any other person under 48 years of age.

The above statement, perhaps, is without a parallel, and argues, like an angel "trumpet-tongued," in favor of temperance and regularity of life.

NEW-YORK.

Total deaths 2739—the months not stated. Under 1 year 522; 1 to 5 years 396; above 60, 286, of whom 7 were from 90 to 100. *Diseases*, generally, not given. Increase of deaths, compared with the last year, 232. *Ninety-eight* persons died of the *small-pox* in the month of January, among whom was a woman aged 97 years! The cases of consumption are given at 678.

IN THE CITY AND LIBERTIES OF PHILADELPHIA.

Total deaths 2040—smallest number in February, 122; greatest in August, 226. Under 1 year 435; 1 to 5 years 302; above 60, 240. *Diseases*—consumption of the lungs 347; convulsions 180; pleurisy 126; cholera morbus 94; various fevers 176, of whom 84 of typhus; dropsy 53, in the breast 19, in the brain 65; still born 97; decay 63; old age 60; debility 52; apoplexy 50; inflammations 101; childbed 7, &c. &c.

BALTIMORE.

City and precincts.

Total deaths 1317—smallest number in October, 80; greatest in August, 212. Under 1 year, 477; 1 to 5 years, 117; above 60, 71, of whom 1 above 100. *Diseases*—consumption 250; cholera morbus 132; fits 91; fevers 91; hooping cough 105; pleurisy 75; still born 78; worms 76; dropsy 33, in the brain 3; child bed 26; *small pox* 2; apoplexy 52, &c. The city and precincts are supposed to have a population of about 60,000 souls—the deaths were 32 less than last year.

CHRONICLE.

Appointments, by the president of the United States, with the advise and consent of the senate.

To be secretary for the department of state, JOHN QUINCY ADAMS, of Massachusetts.

To be secretary for the department of the treasury, WILLIAM H. CRAWFORD.

To be secretary for the department of war, ISAAC SHELBY, of Kentucky.

Mr. CROWNINSHIELD, it is understood, remains at the head of the navy department.

Washington City, March 7.—The senate of the United States adjourned yesterday at an early hour. Previous to the adjournment, the *vice president* retired from the chair, according to the usage at the close of a session, and Mr. *Gaillard* was again chosen president pro-tempore of the senate.

Appointments by the president and senate.

Richard Cutts, late superintendant general of military supplies, to be second comptroller of the treasury department, under the act of the 3d of March, 1817, to provide for the prompt settlement of public accounts.

William Lee, late accountant of the war department, *Peter Hagner*, late additional accountant of the war department, *Constant Freeman*, late accountant of the navy department, and *Stephen Pleasonton*, of the state of Delaware, to be auditors in the treasury department, under the act aforesaid.

John Coffee, of Tennessee, to be surveyor of the lands in the nothern part of the Mississippi territory, under the act of third of march, 1817.

Israel Pickens, of North Carolina, to be register of the land office, to be opened in the Mississippi territory under the act of 3d March, 1817.

Stephen Archer, of Maryland, to be additional Judge in the Mississippi territory, to reside in the eastern part thereof, under the act of the 3d March, 1817.

The following appointments were made by the president of the United States, by and with the advice and consent of the senate, during the late session:

Joseph Philips, late of the army of the United States, to be secretary of the Illinois territory.

Robert Jaques, of New-York, to be consul at St. Croix.

John Howard March, of New Hampshire, to be consul at Madeira.

Daniel Strobel, of South Carolina, to be consul at Bordeaux, in place of William Lee, resigned.

William Davy, of Pennsylvania, to be consul of the United States at Kingston upon Hull, in Great Britain.

Joseph Ray, of the same state, to be consul at Pernambucco, in Brazil.

Jose dos Santos Monteiro of Brazil, to be consul for the Island of Maranhoa, in Brazil.

Reuben G. Beasley, of Virginia, to be consul at Havre de Grace.

Robert Trimble, of Kentucky, to be judge of the United States for the district of Kentucky,

Edward Wyer, of Massachusetts, to be consul of the United States at Hamburg.

Henry Wilson, of Maryland, to be consul at Nantz.

Edward Church, of Kentucky, to be consul at l'Orient.

John B. Frazier, of Massachusetts, to be consul for the Island of Curracoa.

John O. Sullivan, of New-York, to be consul at Magodore, in Morocco.

Joel Hart, of New-York, to be consul at Leith.

Adjutant and inspector-general's office,
February 22, 1817.

On the 17th of February, 1817, the president, by and with the advice and consent of the senate, made the following appointments in the army of the United States, viz.

Paul H. Perrault, to be topographical engineer.

Cary Nicholas, to be battalion paymaster.

Samuel Ayer, to be post-surgeon.

George B. M'Knight, to be surgeon's mate, 1st infantry.

Mattron Ball, to be surgeon's mate, 4th infantry.

Henry Taylor, to be 2d lieut. 6th infantry.

William S. Blair, to be 2d lieut. rifle regiment.

Edwin Wyatt, to be surgeon, rifle regiment.

And on the 19th of February, 1817, the president, by and with the advice and consent of the senate, made the following appointments in the army of the United States, viz:

Hugh Young, to be assistant topographical engineer.

C. G. Garrard, to be post surgeon.
Francis B. Murdoch, to be 2d lieut. 1st infantry.
James Collins, to be 2d lieut. 1st inf.
Overton C. Addison, to be surgeon's mate 1st inf.
Stephen Griffith, to be 2d lieut. 2d inf.
James Stewart, to be 2d lieut. 4th infantry.
John C. Wells, to be 2d lieut. 4th infantry.
Francis W. Brady, to be 2d lieut. 4th infantry.
J. R. Clark, to be 2d lieut 4th infantry.
Horace Broughton, to be 2d lieut. 6th infantry.
Wm. H. Nicholl, to be surgeon's mate 6th inf.
James Roane, to be 2d lieut. 7th inf.
D. Shelton, to be 2d lieut 7th inf.
Charles Betts, to be 2d lieut. 7th inf.
Isaac W. Snowden, to be surgeon's mate 7th inf.

By order, D. PARKER,
Adjutant and inspector general.

Specie. Large quantities of specie have arrived in the United States within the last two or three weeks. Much of it from the West Indies, and some from Europe. We cannot suppose there is at present any real scarcity of the precious metals in our country.

Mr. Hughes, charge des affairs at Stockholm, arrived in London on the 15th of December on his way to Sweden.

Maryland Penitentiary.—A fire broke out in the oakum loft of this fine establishment, on Wednesday evening last, by which the roof of the wing and some considerable part of the floors, in parts not arched, were destroyed. The centre building, with the work shops, &c. were uninjured. It is supposed to have been caused by design. Not a single criminal escaped. The loss estimated at 12 or 15,000 dollars.

Died, suddenly, on Tuesday last, *Joseph H. Nicholson* esq. chief justice of the 6th judicial district of the state of Maryland, (of which Baltimore forms a part) and president of the Commercial and Farmers' bank of Baltimore. On the death of this great and good man, the gentlemen of the bar immediately assembled, judge Bland in the chair, and resolved to wear crape as a tribute of respect to his memory until the end of the ensuing session of the court; and the city councils of Baltimore passed a resolve to attend his funeral, headed by the mayor. A long procession of our most respectable citizens, followed his body to the "narrow house," "appointed to all the living."

The decease of this man is a public calamity—he was possessed of fine talents, well cultivated, which were applied with a just discrimination and inflexible integrity. But his character as a judge, as president of one of our most respectable monied institutions, as captain of a most reputable artillery company, which assisted in the glorious defence of Fort *M Henry*, on the memorable 13th of September, 1814—however honorable they may have been to him for an enlightened independence, liberal deportment, or undaunted courage—were eclipsed by the generous qualities that endeared him to a large circle of relatives and friends—to the former, though his means were limitted, he stood as a common father and protector; and he was the pride of the latter. He died in the meridian of his usefulness, being aged only 47 years.

Virginia Legislature.

The following may be useful to our friends in Virginia for reference.

In the house of delegates, Feb. 11.—The house took up the engrossed bill for equalizing the representation in the senate, and equalizing the land tax. A long and interesting debate ensued—Messrs Hay and Tucker being in opposition to the bill; Mr. Tazewell in favor of it—Mr. Mercer, (of L.) made some remarks on certain incidental points. The debate took a wide range, both on the ground of expediency and constitutionality. The opponents of the bill contending that it was contrary to the state constitution—the latter repelling the idea. The question was finally taken, by ayes and noes, and the bill passed—ayes 75, noes 71, as follows:

AYES—Messrs. Wise, Maury, Penn, [Amherst] Anderson, Blackburn, Jordan, Campbell, Pate, Colston, Wilson. [Botetourt.] Cook, [Botetourt.] Hill, [Brunswick.] Austin, Yancey, [Buckingham.] Battaile, Demoville, Wyatt, Richardson, Taylor, [Chesterfield,] Thweatt, Wilson, [Cumberland,] Barrette, Hardaway, King, Armistead, [Elizabeth-City.] Buckner, Marshall, Payne, Cary, [Fluvanna,] Cook, [Franklin.] Matthews, Hyde, Land, Johnson, [Giles.] Clarke, [Halifax.] Jackson, McWhorter, Chamberlayne, Atkinson, Brown, Hankins, Stuart, Braxton, Mercer, [Loudoun,] Taylor, [Lunenburg.] Alexander, jr. Bradford, Graves, Christian, Cook, [Norfolk,] Pollard, Wilson, [Northampton,] Jones, junr. [Nottoway,] Pincham, Shelton, Martin, Clarke, [Powhatan.] Booker, Lindsay, Marteney, Booth, Mitchell, Johnson, [Southampton.] Belches, Mercer, [Spottsylvania,] Judking, Jas. Thompson, [Tazewell.] Rees, B. Thompson, [Tazewell,] Peseud, Cary, [Warwick,] Estill, Smyth, [Wythe] Scott, Shield, Tazewell—75.

NOES—Messrs, Stanard [Speaker,] Yancey [Albemarle,] Lane, Edie, Doddridge, Lewis [Campbell.] Armistead [Charles-City,] Baker, Turner, Smith, [Cabell,] Latane, Garnett, Thompson, [Fairfax,] Hunter, Williams, Sexton, Jones, [Gloucester.] Seawell, Currin, Cooley, Starke, [Greensville.] Smith, [Giles.] Mc'Carty, Starke [Hanover.] Hay, Hairston, Allen, [Henry.] Morgan, Wilson, [Kanawha.] Ruster [Kanawha.] Harwood, Hill, [King-William,] Biscoe, Crabtree, Fleming, Daniel, Banks, Allen [Madison,] Clendinnen, Ransome, Tarry, Healy, Gray Thomas [Monroe,] Wilson [Monongalia,] McHenry, Charlton, Borland, Blackwell, Edwards, Irwin, Mallory, Staples, Hiner, Hinkle, Tucker, McRae, Foster, Belfield, Bowyer, Bryan, Fugate, Caldwell, [Russell,] Fullen, Rinker, Steenbergen, McCoy, Hungerford, Stokely, Bukey Robertson, [Richmond,]—71.

A motion was then made by Mr. Sexton to re-consider the bill "to incorporate the Manchester turnpike company," &c.—declaring that he had voted against the bill yesterday, and was dissatisfied with the vote he had given. Mr. Clarke (of Powhatan) stated, that this was a strong case; that one of the majority had already stated that he was dissatisfied with his vote, and that other gentleman had stated the same. Mr. Mercer (of L.) opposed the motion—Messrs. Blackburn, Doddridge, Smith and Hay followed on the same side—Messrs. Baker, Lane, and Thwaett enforced the motion. The question, however, was finally taken, by ayes and noes, and the motion was lost—Ayes 61, Noes 66.

In the senate, Feb. 11.—The bill "requiring the sheriffs of the different counties and corporations within this commonwealth, to take the sense of the people upon the propriety of calling a convention," which was, on Friday last, reported from the committee with an amendment, which was read, and with the bill laid upon the table, on motion of Mr. A. H. Powell, was taken up.

The amendment proposed by the committee being again read, and, on motion, amended was on the question put thereupon, agreed to by the house.

And, on the question being put on the 3d reading of the said bill, as amended, it was rejected by house—Ayes 9, Noes 12.

The Ayes and Noes being required on that question, were as follows:

AYES—Edward Watts, [Speaker] Chapman Johnson, John W. Green, Cuthbert Powell, Alfred H. Powell, Francis Preston, George I. Davison, Thomas C. Hoomes, and Joseph C. Cabell—9.

NOES—James Robertson, jr. Thomas Taylor, William Chamberlayne, William Lee Ball, Bartholomew D. Henley, John Hill Richard Jones, John Cargill, Armistead Hoomes, Brazure W. Pryor John Hoge, and John Croppers—12.

NILES' WEEKLY REGISTER.

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Hæc olim meminisse juvabit.—VIRGIL.

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The state of our country.

Although we in the United States are not exempted from a portion of the common suffering that belongs to our nature as men and our condition in society, and those engaged, either in foreign or home trade, generally experience considerable difficulty in getting through with their ordinary transactions of business—although things are dull, and money is said to be scarce for the want of *something* to make it plenty by circulation, and our country, inundated by foreign goods, was overwhelmed by debt, to the apparent destruction of our own sources of wealth in manufactures—how manifold are the causes for exultation when we take an extended view of the situation of the people of this republic, and contrast their general prosperity and happiness with the common misery and distress attached to those of other nations! It is here, and here only, that the friend of freedom finds a state of *safe* repose, and honest industry meets its proper reward in enjoyment and ease.

We have the most profound peace—indeed, the people seem hardly to have any public matter to talk about, and the ingenuity of the politician is strained to the utmost to discover any thing to which to draw the public attention. So much does the government possess the confidence, and so completely does it meet the wishes of the people, that if it had not been for the famous *compensation law*, we should, truly, have had a dull winter of it. But every body grew tired of that, and it was "put on the shelf"—and we seem absolutely in want of something—any thing, to keep up what may, perhaps, be deemed a wholesome degree of excitement. When it was said that our relations with *Spain* were about to be disclosed, the partizan dipped his pen into the inkstand and placed himself in an attitude to write;—but behold!—the case was so plain as hardly to bear an explanatory paragraph, much less afford causes for columns of comment. It is *hard times* for those who delight in "wordy war." Happily, the approaching elections in some of the states give some such a little to do!

In our national capacity, there is much for the patriot to be proud of. The population and resources of the republic, every hour increasing, are going on most rapidly to fullness and power commensurate with the high-toned *national feeling* now so generally prevalent in every rank of society—a feeling of inestimable value, and more important to us, in a mere calculation of dollars and cents, than the mines of *Mexico* and *Peru*; affording the best possible reliance for a long continuation of our present system of government; a rampart against assaults from without or encroachments from within. Our finances are in the most prosperous condition; we have, the present year, appropriated *nineteen* millions of dollars to reduce the debt incurred to maintain our independence and sovereignty, and also advanced *four* millions more for the same purpose, in anticipation of the regular appropriation for 1818: Yet the law for levying a *direct tax* was suffered to expire by its own limitation, and the prospect is that *all* the *internal duties* will be taken off, at the next session of congress. The gallant army, that lately snatched victory from the hands of the brave, though reduced in numbers, retains a prosperous sufficiency for every purpose of peace, and rests in glorious ease without burthening the people that it lately defended. The navy, illustrious and unrival led for deeds of courage and skill, is silently, bu certainly, approaching the state of power required by the wishes of the nation, and carry the "star spangled banner" to command the respect of the world. But an event has just happened which is calculated as much to raise a delightful sensation in the patriot's breast as any thing else: "The pilot that weathered the storm," the great and good MADISON, has returned to the rank of a private citizen, and Mr. *Monroe* has succeeded to his place, with less bustle and *national* confusion than belongs to a *Westminster* election for a member of parliament, in England! Such is the order and harmony of our constitution, duly appreciated by the people and faithfully administered by responsible agents. How different is the *lively* quiet that we enjoy from the state of *dead* repose that belongs to a despotic government! We hear of no plots, conspiracies or mobs—nor do we fear them: Bad men may cause a temporary, or local, agitation of the public mind, in the United States, but there is, in the good sense of the people—in their *reflection* on the necessity "at the call of the law, of rallying round the standard of the law, to unite in common efforts for the common good," an assurance of safety that cannot be disturbed; and the late mighty *Napoleon*, or even the arch-breeder of mischief, *Castlereagh*, would have as little influence here to destroy the public tranquility as the village smith, whose shop is the political head-quarters of the neighboring country. When we look at these things and see laughing freedom make every part and corner of our country smile—how great cause have we daily to renew our vows to guard the constitution, and preserve, with vestal purity, the "sacred flame"—which, not confined within walls, extends and warms this great and justly proud republic?

We are, also, rapidly rising from the state of depression which to us, as individuals, followed the termination of the forced condition of commerce that grew up out of the late general warfare in Europe. This was so extensive and lasted so long, that it seemed to come to the home of almost every man, and so great a change, as its annihilation caused, could not have been expected without much derangement of business and distress. But we are settling down better than was hoped for, and shall soon get into a peace establishment. However, if there is any *consolation* in the prospect, we may reasonably conclude that there will again be an uproar in Europe—a little period of time will prove that the chaining of *Bonaparte* to the rock of St. Helena has not extinguished the ambition of kings. Among the pleasing evidences of the fact just stated, we may notice the general resumption of specie payments by our numerous banks: this important measure has been acted upon without the occurrence of any of the difficulties that were apprehended, and it is received as a fact, that these institutions were never better prepared, in reality, to meet their engagements than they are now.

Our manufacturers, too, are raising their heads a little—just beginning to breath again. Some of their establishments, perhaps, grew up too suddenly, or were undertaken without sufficient capital or intelligence, and many of the most important seemed to be crushed by the weight of "the enemy." But we know that many are now in full operation, and hear that others are preparing for it; with the prospect, it is said, of reduced profits, but with a certainty of using the capital invested in them to advantage. What they seem chiefly to require is *steadiness* in our government; and this, we trust, will be afforded to them. It was always, however, upon the *household manufactures* that we mainly relied to arrive at the independence desired; these bring into the general stock of wealth the labor of the people, and we know that *they* were always extending without the least interruption, from outward causes. It is the increased force of household industry, that, in all probability, has given the new impulse to the large establishments, and here is a *home market* that may be depended upon—a source of incalculable wealth not to be affected while liberty waves her eagle-standard over the land.

Let us go on, then, with courage and confidence—the trial of *war* and the trial of *peace* have passed: It remains that we add to the stock of intelligence the result of our experience in these, and march steadily on to the high destinies that await our country. The name of an American is a proud one every where; and it should always be remembered that "national honor is national strength." May it never be sullied by an act of injustice! May it never be lost by an act of submission!

"Rebellion."

A writer at *Madrid*, speaking of certain reports that had prevailed there as to the United States being about to declare war against *Spain*, and lend their assistance to the colonies struggling for independence, observes, after some compliments on our condition,—"THE UNITED STATES WILL NOT ESPOUSE THE CAUSE OF REBELLION," &c.

Whether it is politic for us, in the present unsettled state of the world, to be the first to disturb its *dreadful* calm, portenting storms more destructive, perhaps, than any we have yet witnessed, by attempting to gain that redress of Spain for wrongs committed by her, by the argument of arms, which has been refused, in the most pitiful and prevaricating manner, to honest negociation—is not the question that presents itself at this time; but we may profitably offer some remarks upon the principle of the sentence just quoted.

"The United States will not espouse the cause of rebellion!" What is "*rebellion?*" A resistance of the legal authority. What is *legal* authority? The "divine right of kings" to govern the people! What caused these states to unite? A resistance of the *right* of the king to bind them in all cases whatsoever, or, a *rebellion*. Yet *they*, who have themselves profited so much by it—who have thereby given themselves a name and rank among the nations of the earth—who, in their childhood have performed deeds of highest renown, and, by their resistance of "legal authority," have arrived at a state of unrivalled prosperity and glory, marching rapidly to the fullness of strength and power, "will not espouse the cause of rebellion" (so called), the grand source of their own happiness and fame—will be unwilling that other countries, by like means, may reach the same state of liberty, safety and independence—will rather have the friendship of a thing like *Ferdinand*, than obtain the gratitude of a world of freemen!—Verily, the writer must have supposed that we had already forgotten our own origin; or meant to libel us by believing us capable of condemning the generation just passed; which, with *Washington* at its head, "rebelled" against the king. The case of South America, in relation to Spain, is precisely that which the present United States had in relation to Great-Britain, in what the world [*because it succeeded*] now calls our "revolution;" except, indeed, that where *we* had one just cause for complaint *they* have a hundred—and, perhaps, a thousand.

But as to "rebellion"—what is it? Is not *Ferdinand*, himself, as well a rebel to his king and his *father*, as to common sense and common justice? And shall he, or his friends, who by intrigue or force, divested the father of the throne of Spain, charge the transatlantic colonies with "rebellion" against *himself?* We wish the knavery of monarchy to become a thing to be hooted at by every one, and ask again, if a "divine right" can be abrogated by a human act—what change of circumstances amongst men can alter the decrees of ALMIGHTY GOD?—and yet on this is established the foundation of every throne in Europe, that of the "illustrious house of Brunswick" not excepted—for this house obtained it through force in "rebellion;" which *uncourtly* phrase, however, is changed for that of a "glorious revolution."

Turning over a volume a few days ago, I was much diverted by an edict of *Catharine*, of Russia, in the year 1793, on the occasion of the *revolution* in France. That *mild* advocate of "regular government," alluding to the National Assembly, said—"seven hundred monsters have laid their paricidal hands on the life of the *Lord's anointed*, their lawful master;" she ordered a suspension of all intercourse with France, until "his most christian majesty should be re-established in those rights and prerogatives assigned to him by human and *divine* law," calling the republicans "usurpers of government and *legitimate* authorities."

What impudent hypocricy!—But the history of *Catharine* is too well known to require a detail here. Of an obscure beginning and a stranger in Russia—and placed near to the throne by her marriage with the "Lord's anointed"—she snatched, with blood-stained hands, the sceptre from her *husband* and "lawful master," and marched over his dead body to "usurp" the "legitimate authorities" of Russia, having also put out of the way all his relatives and adherents! We may admire the talents of this woman; yet a more ambitious, more wicked, more profligate creature, never lived. But *she*, of all persons in the world, ought to have been the last to hint at the killing of a king, or speak of the usurpation of a government—she had no claim whatever to the throne of Russia, except that built upon the true principle by which all thrones are supported; the bayonets of the soldiery, that she prostituted herself to debauch.

Nor is it less impudent in the friends of *Ferdinand* to speak about "legitimacy" than it was in *Catharine*. He was proclaimed by his own mother not to be the son of her husband, king Charles, and he stands to us as *naturally* illegitimate; that he is *politically* so is more easy of demonstration. He mounted the throne by a forced retirement of his reputed father, and re-gained it by a violation of his oaths to the Cortes; rewarding them for his "restoration" by killing some, imprisoning others, sending many to the gallies and banishing the rest for life. "Rebellion," as it is called, against this per-

jured and ungrateful man, *must* be a virtue—and to every attempt against him to which he can possibly be liable, except that of assassination or murder, we wish complete success. May he take the oar of the galley from the hand of some member of the cortes that he himself chained to it—or occupy the dark and dreary dungeon where he confined the enemies of the inquisition!

Uniformity in the currency.

The chairman of the committee of finance, of the senate, addressed a letter to the secretary of the treasury, requesting his opinion as to what further legal provisions were necessary to aid the treasury in restoring uniformity in the circulating currency of the different sections of the union; and also expressive of a wish to be informed of the places in which the balance remaining in the treasury on the 1st February was deposited and the currency in which it consists.

The secretary under date of the 20th ult. replies, that the banks of the cities of New-York, Philadelphia, Baltimore, District of Columbia, state of Virginia; and bank of Muskingum and Miami Exporting company of Ohio, have notified the department that "they will on this day resume and continue specie payments"—that the banks south and west have intimated their capacity and disposition to discharge their notes with gold and silver, when specie payments were resumed in the middle states, and that the banks in the interior of the latter have generally pledged themselves to resume them, &c. so that there is no necessity for any further legal provision to restore uniformity to the circulating currency. Instructions have been issued to the receivers of public monies to conform to the resolution of the 30th April 1816. And as to the balances of public money deposited in the several banks employed by the treasury; the secetary gives their amount as being more than fourteen millions of dollars; stating however, his belief "that no serious difficulty will occur in rendering the whole available on the operations of the treasury at least before the last quarter of the year."

There is a "comfortable" report—and by what we hear from all quarters, there has been much less difficulty in the resumption of specie payments than was apprehended. In Baltimore, it is probable, that quite as much specie has been deposited in the banks as has been drawn from them. It is to be hoped that while these institutions manifest a design and determination to do all that they can to relieve the people of the inconvenience and losses occasioned by the late derangement of our currency, that the people will discountenance all unreasonable demands upon them, and support them in resisting every attempt to thwart their views of bringing us back to the good old state of things.

Record of Cold.

The winter just past, until about the middle of January, was uncommonly mild and pleasant. At about that time there was a considerable fall of snow, and the fields are generally covered with it ye , (March 1) from which fine crops of grain are anticipated in the ensuing summer. The cold weather came on suddenly and severely, and continued with very little intermission until the 13th and 14th of February, when it appears every where in the United States and parts adjacent to have arrived at its extreme.

The following memorandums may be useful for future reference—

On the 17th of January, the crew of a trading vessel on lake *Ponchartrain* were frozen to death.

On the 22nd of the same month, the thermometer at Augusta, *Georgia*, stood at 21 degrees below freezing point.

On the 30th, the St. Lawrence was frozen lower down than it had been for half a century.

On the 13th and 14th of February, the degrees on the thermometer were given about as follows:

At Montreal	30° below zero.
Portland, Maine	19
Portsmouth, N. H.	14
Newburyport	20
Providence	15
Hartford	14
New-York	7
Albany	13
Trenton, N. J.	3
Newark	6
Philadelphia	2½
Baltimore	4
Washington City	at zero.

At Hanover, in N. H. it is said to have fallen to 30 below O.

The Merrimack was frozen over as far as the piers —sleighs passed and re passed with safety.

Seven loaded horse-teams, proceeded on the ice, from Boston to fort Independence, on the 15th of February, and on the same day two men came up from Deer island, on the ice, and returned again.—This island is about 8 miles from Boston. Horse-teams, with wood, passing from Dorchester point to fort Independence.

A party from New-York set out on a sleigh-ride from Flushing to Riker's island, and performed the route safely. This island is 7 miles from the harbor of Flushing, Long-Island.

The Chesapeake bay was firmly frozen several miles below Annapolis.

The Ohio, at Marietta, was completely bridged from the 20th of January, and, about the 15th of February, was passed with loaded waggons as a common highway, the ice being 19 inches thick.

REMARKS ON THE THERMOMETER

To the editors of the Albany Gazette.

The singular facts stated below, appear to me deserving of being preserved and noticed. The cold of this day is severe. At 9 15' A. M. wind N not a cloud to be seen, and the mercury in a N window on the S side of Division street, at 3 below zero. I mention the position particularly, because a range of high brick houses, on the opposite side, besides breaking the force of the N wind, subjects the mercury to the action of reflected light, from these houses. At 1 P. M. going into a back room I noticed that the water was falling from the eave trough of a kitchen, in which there had been no fire for some days. The mercury in the N. window stood now, at 5 above zero. I placed it in a S window and in 18 minutes, it rose to 54. Replaced in the N window it fell, in 20 minutes, to 7¼. The houses opposite, are, painted with Spanish brown, pointed in white-lead, and have white window shutters. The position of the sun is such, at this hour, as to reflect a good deal of light and heat, and very sensibly to effect the temperature of this position. Not a cloud to be seen, wind still N.

From the greatness of this difference of temperature, in northern or southern exposure, which is certainly very unusual, I infer that the atmosphere, especially in the S. is overladed with vapor which increases the refraction and the power of the solar rays, and that a change of temperature and of weather may be expected soon, with storms of

snow or rain. This is taking the average temperature of the open air, the coldest day of the present winter, by near 5° and colder than any other we have had here within 5 years—though the water is falling from the eaves of many of the houses, and the sun has such power that many may be disposed to doubt the accuracy of these remarks, without attending to the singular facts noticed above.

I have only further to add that the people do not in their thermometrical observations, pay sufficient attention to the position of their thermometers. In your last Gazette, I noticed observations on the Siberian severity of the cold of the present winter, at Montreal, and at Gardiner, in the district of Maine. At Gardiner, on Jan. 14, it is said to have been 24 below zero, and on the 15, at 32; both observations at 7 A. M. The observer has not said whether his thermometer was a mercurial one—but as these are by far the most common I take it for granted that it was: nor has he described the position of the instrument. It should be observed, that mercury is congealed to a solid at 39 to 40 below zero, of Fahrenheit's scale; and that at any degree of cold, below 16 to 18, below zero, the indications of the mercurial thermometers are not to be relied on. The spirit of wine endures a much greater degree of cold; and people in high northern lattitudes should always use their thermometers filled with this in preference to mercury. By placing two instruments side by side, in such a degree of cold as that noticed at Gardiner, or at Montreal, people, would soon discover the propriety of these remarks.

But I am too tedious; you will abridge at pleasure and may use what I have written in your own way. It is now half past 2 o'clock P. M. and the mercury has risen to 8¾ in the N. window. Were the houses opposite, removed, and the space open to the N. I presume the temperature of this position would now be from 3 to 5 lower—A remark that I add only to invite people to be more careful in noting positions of observation. Very respectfully, your friend,

HORATIO GATES SPAFFORD.

Albany, 2d mo. 5, 1817.

CONGRESS.

SENATE.

The following history and account of the bill "*to set apart and pledge as a permanent fund for internal improvements the bonus of the national bank, and the United States' share of its dividends,*" cannot fail of interesting our readers:

The following is the bill as it came up from the house of representatives:

A bill to set apart and pledge, as a permanent fund for internal improvements, the bonus of the national bank, and the United States' share of its dividends.

Be it enacted, &c. That the bonus secured to the United States by the "act to incorporate the subscribers to the bank of the United States," and the dividends which shall arise from their shares in its capital stock during the present term of twenty years for which the proprietors thereof have been incorporated, be, and the same are hereby set apart and pledged as a fund for constructing roads and canals, and improving the navigation of water courses, in order to facilitate, promote and give security to internal commerce among the several states, and to render more easy and less expensive the means and provisions necessary for their common defence.

Sec. 2. *And be it further enacted,* That the monies constituting the said fund shall, from time to time, be applied in constructing such roads or canals, or in improving the navigation of such water courses, or both, in each state, as congress, with the assent of such state, shall by law direct, and in the manner most conducive to the general welfare; and the proportion of the said money to be expended on the objects aforesaid, in each state, shall be in the ratio of its representation, at the time of such expenditure, in the most numerous branch of the national legislature.

Sec 3. *And be it further enacted,* That the said fund be put under the care of the secretary of the treasury for the time being; and that it shall be his duty, unless otherwise directed, to vest the said dividend, if not specifically appropriated by congress, in the stock of the United States; which stock shall accrue to, and is hereby constituted a part of the said fund.

Sec 4. *And be it further enacted,* That it shall also be the duty of the said secretary, unless otherwise directed, to vest the bonus for the charter of said bank, as it may fall due, in the stock of the United States; and also to lay before congress, at their annual session, the condition of said fund.

February 26.—A motion was made to postpone the bill indefinitely—negatived as follows:

YEAS—Messrs. Ashmun, Brown, Campbell, Chace, Condit, Daggett, Dana, Fromentin, Gaillard, Howell, Hunter, Macon, Smith, Thompson, Tichenor, Troup, Varnum, Williams—18.

NAYS—Messrs. Barbour, Goldsborough, Hardin, Horsey, King, Lacock, Mason, of N. H. Mason, of Va. Morrow, Noble, Roberts Ruggles, Sanford, Stokes, Talbot, Tait, Taylor Wells—19.

February 27.—The bill being under consideration —Mr. *Ashmun* offered the following proviso:

"Provided, however, that no part of said fund shall be expended on any of the objects aforesaid within the state, without the assent of the legislature thereof: And provided also, that if any state shall refuse its assent as aforesaid, there shall be paid to such state such proportion of said money, as would be expended therein, on the objects aforesaid, if such state had assented to said expenditure."

The question thereon was decided by yeas and nays as follow:

YEAS—Messrs. Ashmun, Condit, Daggett, Dana, Tichenor—5.
NAYS—33.

A motion was made by Mr. *Goldsborough* to strike out of the third section, after the word "duty" to the end of the section, and in lieu thereof to insert the following words:

"To apportion and divide the said fund, as it annually accrues, among the several states, now existing, and such as may hereafter be admitted into the union, according to the then existing ratio of representation as before directed; and to invest the same, so apportioned and divided, in funded debt of the United States; and the funded debt so set apart in the names of the respective states, shall be applied to the aforesaid objects, under the concurrent direction of congress, and the legislature of the state interested, and he shall also lay before congress at their annual session the condition of the said fund."

The question whereupon was determined by the following vote:

YEAS—Messrs. Barbour, Brown, Fromentin, Goldsborough, Hanson, Horsey, King, Lacock, Mason, of N. H. Mason, of Va. Morrow, Noble, Roberts, Ruggles, Sanford, Stokes, Talbot, Tait, Taylor, Thompson, Wells—21.

NAYS—Messrs. Ashmun, Campbell, Chace, Condit, Daggett, Dana, Gaillard, Hardin, Howell, Hunter, Macon, Smith, Tichenor, Troup, Varnum, Williams, Wilson—17.

Many additional amendments were proposed—by Mr. *Campbell*, limitting the appropriation of the dividends to the excess beyond the payment of the interest of the United States stock, constituting the shares: negatived, ayes 17, nays 21.

Mr. *Horsey* moved to add to the end of the section a proviso in the following words:

"*Provided*, That the proportion of said fund to be assigned to any state, or any part thereof, may by the assent of such state be applied to the purposes aforesaid in any other state."

This motion was decided by the following vote:

YEAS.—Messrs. Barbour, Brown, Chace, Fromentin, Goldsborough, Hanson, Hardin, Horsey, Hunter, King, Lacock, Mason, of N. H. Mason, of Va. Morrow, Noble, Roberts, Ruggles, Sanford, Stokes, Talbot, Tait, Taylor, Thompson, Tichenor, Wells, Wilson—26.

NAYS—Messrs. Ashmun, Campbell, Condit, Daggett, Dana, Gaillard, Howell, Macon, Smith, Troup, Varnum, Williams—12.

Mr. *Daggett* offered a provision which had for its purpose a privilege of diverting this fund in case of war—negatived, ayes 18, noes 19.

The question of reading the bill with the amendments, the third time, was decided as follows:

YEAS—Messrs. Barbour, Brown, Fromentin, Goldsborough, Hanson, Hardin, Horsey, King, Lacock, Mason, of N. H. Mason, of Va. Morrow, Noble, Roberts, Ruggles, Sanford, Stokes, Talbot, Tait, Taylor, Wells, Wilson—22.

NAYS—Messrs. Ashmun, Campbell, Chace, Condit, Daggett, Dana, Gaillard, Howell, Hunter, Macon, Smith, Thompson, Tichenor, Troup, Varnum, Williams—16.

After another proposition for amendment, by Mr. *Daggett*, which was negatived—yeas 14, nays 21, the question on the passage of the bill was decided as follows:

YEAS—Messrs. Barbour, Brown, Fromentin, Goldsborough, Hanson, Hardin, Horsey, King, Lacock, Mason, of N. H. Mason, of Va. Morrow, Roberts, Ruggles, Sanford, Stokes, Tait, Taylor, Wells, Wilson—20.

NAYS—Messrs. Ashmun, Campbell, Chace, Daggett, Dana, Gaillard, Howell, Hunter, Macon, Noble, Smith, Thompson, Tichenor, Troup, Varnum, Williams—15.

Other proceedings of the senate.

The bill to authorize the state of Tennessee to issue grants and perfect titles on certain entries and locations of lands therein described, together with the amendments reported thereto by the select committee, was ordered to a third reading by the following vote:

YEAS—Messrs. Ashmun, Brown, Campbell, Daggett, Fromentin, Goldsborough, Hardin, Horsey, Howell, Lacock, Morrow, Noble, Roberts, Ruggles, Sanford, Stokes, Talbot, Tait, Taylor, Thompson, Tichenor, Troup, Williams—23.

NAYS—Messrs. Condit, Dana, Gaillard, Macon, Mason, of N. H. Smith, Varnum, Wilson—8.

The senate took up the bill to incorporate the unchartered banks in this district; and a motion was made by Mr. *King*, to postpone the further consideration of the bill indefinitely.

The question was, after debate, decided as follows:

YEAS.—Messrs. Ashmun, Condit, Hunter, King, Macon, Mason, of N. H. Morrow, Smith, Tait, Thompson, Tichenor, Williams—12.

NAYS.—Messrs. Barbour, Brown, Campbell, Chace, Daggett, Dana, Fromentin, Gaillard, Goldsborough, Hanson, Horsey, Howell, Mason, of Va. Noble, Roberts, Ruggles, Sanford, Stokes, Taylor, Troup, Varnum, Wells, Wilson—23.

The senate then proceeded to consider the details of the bill.

Before the senate adjourned, this bill was ordered to be engrossed for a third reading to-morrow.

Feb 28. *& March* 1.—The bill concerning persons escaping from the service of their masters, was, on motion of Mr. *Tait*, postponed to a day beyond the session. [The object of this bill, was to prevent kidnapping free persons as slaves; the objection was, that it would afford impunity almost absolute to slaves deserting the service of their owners.]

The bill to extend the charters of the chartered banks in the District of Columbia, was, on motion of Mr. *Goldsborough*, postponed to a day beyond the session.

The bill more effectually to preserve the neutral relations of the United States, being before the senate, a motion was made by Mr. *Smith* to postpone it to a day beyond the session; which motion failed. Yeas 8, nays 28.

The bill being amended, finally passed as follows:

YEAS.—Messrs. Ashmun, Barbour, Campbell, Daggett, Goldsborough, Hanson, Hardin, Howell, Hunter, King, Lacock, Macon, Morrow, Roberts, Ruggles, Sanford, Stokes, Talbot, Tait, Taylor, Tichenor, Troup, Wells—23.

NAYS.—Messrs. Brown, Chace, Dana, Fromentin, Gaillard, Mason, of N. H. Noble, Smith, Varnum, Wilson—10.

The following resolution was reported by the committee, to whom was referred so much of the president's message as relates to an uniformity of weights and measures, and was adopted by the senate:

Resolved, That it be referred to the secretary of state to prepare and report to the senate a statement relative to the regulation and standards for weights and measures in the several states, and relative proceedings in foreign countries for establishing uniformity in weights and measures; together with such propositions, relative thereto, as may be proper to be adopted in the United States.

The bill to regulate the trade in plaster of Paris, having been so amended as to take effect on the 4th day of July (instead of the 1st day of May next) passed by the following vote:

YEAS.—Messrs. Ashmun, Barbour, Brown, Campbell, Chace Condit, Daggett, Dana, Fromentin, Gaillard, Hardin, Horsey, Howell, Hunter, King, Lacock, Macon, Morrow, Noble, Roberts, Ruggles, Sanford, Smith, Stokes, Talbot, Tait, Thompson, Tichenor, Troup, Varnum, Williams, Wilson—32.

NAYS.—Messrs. Hanson, Mason, of Va. Taylor.—3

March 3.—The following resolution, moved by Mr. *Goldsborough*, was agreed to:

Resolved unanimously, That the thanks of the senate be presentented to the honorable JOHN GAILLARD, for the able and satisfactory manner in which he has discharged the duties of the president protempore of the senate since his appointment to that office, and that this testimonial of their approbation and respect be entered upon their journal.

Whereupon Mr. GAILLARD rose, and addressed the senate as follows:

GENTLEMEN OF THE SENATE,

The approbation of a body so respectable and distinguished as that which I have now the honor to address, is received with the most profound respect, and will ever be to me a source of pleasing and of grateful recollection. To the habits of order, of decorum, and attention to business, which so strongly mark the character of this honorable body, I have felt myself to be greatly indebted, but more, much more so, to that spirit of liberality and indulgence which has been extended to me on all occasions, and which has been ever ready to overlook my many deficiencies and errors, and to overrate my feeble humble efforts which have been directed with anxious solicitude to the faithful and impartial discharge of the duties of the chair. If, in the course of my official conduct, it should have been my misfortune to have wounded the feelings of any honorable members, or in aught to have offended, I can assure them that such offence was unintentional on my part, and I pray them to accept this apology as an atonement. Permit me now, gentlemen, to tender to you collectively, as well as individually, my grateful acknowledgements for your kindness, and my warmest wishes for your prosperity and happiness.

March 4.—About 11 o'clock Mr. *Gaillard*, the president pro tempore of the senate, took the chair, and the following new members appeared (besides those whose term of service did not expire yesterday) were qualified and took their seats:

From New-Hampshire—*David L. Merrill.*
From Rhode-Island—*James Burrill, jr.*
From New-Jersey—*Mahlon Dickerson.*
From Massachusetts—*Harrison G. Otis.*
From Delaware—*Nicholas Van Dyke.*

Messrs. *Stokes*, *Smith*, *Troup* and *Williams*, members of the last congress, re-appeared and also took their seats.

Mr. *Eppes*, from Virginia, Mr. *Crittenden*, from Kentucky, and Mr. *Claiborne* from Louisiana, three other new members, did not attend.

The VICE PRESIDENT having appeared and taken his seat, &c. the senate adjourned to to-morrow.

HOUSE OF REPRESENTATIVES.

Friday, February 28.—Mr. *Harrison* submitted for consideration the following proposition to amend the constitution of the United States:

Resolved, by the senate and house of representatives of the United States, in congress assembled, two-thirds of both houses concurring therein, That the following amendment to the constitution of the United States, be proposed to the legislatures of the several states, which, when ratified by the legislatures of three-fourths of said states, shall be valid to all intents and purposes, as a part of the said constitution:

"Congress shall, concurrent with the states, have power to provide for training the militia according to the discipline prescribed for that purpose, and, whilst engaged in that service, they shall be subject to the rules and regulations prescribed for the government of the militia when in the military service of the United States, and also to provide for teaching in the primary schools, and other seminaries of learning in the several states, the system of discipline prescribed for the militia."

The said proposition was read and ordered to lie on the table.

Mr. *Ward*, of N. Y. offered a resolution to authorise the employment of col. Trumbull, to execute, in addition to the paintings already authorised, a painting to commemorate the patriotic conduct of Paulding, Van Wart and Williams, in capturing major Andre, a British spy, during the American revolution—read and laid on the table.

The bill to explain the act respecting military bounty lands, was indefinitely postponed.

Many bills were ordered to a third reading to-morrow.

Saturday, March 1.—Many bills (which appear in the list of acts) were passed.

The house took up the amendments of the senate to the bill sent from this house, to amend the claims law of last session—which amendments go to change altogether the character of the bill.

All which, after considerable opposition, were agreed to.

The amendments proposed by the senate to the amendments of the house to the bill from the senate "to provide for the prompt settlement of the public accounts," were read and concurred in by the house.

The amendments proposed by the senate to the bill "to set apart and pledge, as a permanent fund for internal improvement, the bonus of the national bank, and the United States' share of its dividends," were read.

A motion was made to postpone the bill indefinitely—negatived, ayes 61, nays 63: and then to postpone it until Monday—negatived, ayes 66, nays 68. The amendments of the senate were then agreed to.

The bill to incorporate sundry banks in the District of Columbia was read the first and second time, and referred to a committee of the whole, by the casting vote of the speaker.

Several bills were ordered to a third reading. Mr. *Forsyth*'s resolutions about the conduct of the U. S bank, were, on his own motion, for want of time, indefinitely postponed.

A motion was made to adjourn to to-morrow (Sunday) at 11 o'clock, and negatived—yeas 68, nays 48.

Several bills passed through different states, and the house adjourned for one hour.

Evening session, March 1.—Some time was spent on the bill making appropriations for claims for militia services by the state of Georgia, against the Indians, 25 years ago—laid on the table; time to examine the bill being wanting. As was also the bill, and for the same reason, from the senate, authorising the state of Tennessee to issue grants and perfect titles, &c. Several bills were ordered to be engrossed for a third reading on Monday.

March 3.—Both houses adjourned after midnight, after an arduous session, with only one hour's recess for the whole day. We have not seen a detail of the proceedings, but much business was variously disposed of. See the list of acts, published in our last.

Immediately after the opening of the evening sitting of the house of representatives, Mr. *Mills*. of Massachusettts, moved a resolution in the following words:

Resolved, That the thanks of this house be presented to the honorable HENRY CLAY, for the ability and impartiality with which he has presided over its deliberations, and the correctness with which he has performed the arduous duties of the chair."

This vote was carried with an unanimity the most flattering. [Mr. *Hopkinson* observed that the only objection he had to it was, that the house was thin, and that it would, therefore, not be seen that, if the house had been full, there would not have been a dissenting vote.] The motion was unanimously agreed to.

On adjourning the house,

Mr. *Clay* said, that, before he performed the last duty of the presiding officer of the house, he would avail himself of the occasion to make his respectful acknowledgements, for the flattering expression of favorable opinion which had been recently made and which was rendered more interesting by the quarter from which it proceeded. Next to the approbation of one's own conscience, and one's country, that of the immediate representatives of the people must ever be most acceptable. But he felt that, in the instance of that just bestowed on him, he was more indebted to the kindness than to the justice of the house. For he was quite sensible that, in the course of his administration of the duties of the chair, called upon as he frequently was, promptly to decide complicated and embarrassing questions, as they suddenly arose, he must have committed many errors. And if he had been able, in any degree, to satisfy the just expectations of the house, it was owing to that liberal support which had been, on all sides, generously accorded to him.

In legislation, Mr. C continued, there were three periods of extraordinary difficulty, and requiring great fortitude. The first was that which immediately precedes a war, and in which preparation is made for the event. The second, that which accompanies the war; and the third, that which immediately follows the war. During the two first, however, there were animating circumstances, always existing, which invigorated the legislative function. During the last the stimulus is gone, and being replaced by relaxation, the legislator needs more fortitude. He has to survey the whole fabric of the state; to accommodate it to the new circumstances in which it is placed; to provide a revenue for redeeming the debt of the war; to retrench; and, by the reduction of establishments, to dismiss from the service of the country many of those who have nobly contributed to sustain its glory.

It has been your lot, gentlemen, to be cast in the

last of the three periods mentioned. And I take great pleasure, regardless of the motives which may be ascribed to me, in testifying to the patience, the diligence, and the zeal which you have manifested in the public service. I am greatly deceived if, as the result of your labors, at no distant day, there will not be ackowledged to have been laid by you the deepest foundations of the national prosperity. That you may long continue to live to witness and to participate in that prosperity; and that you may experience, on your return to your respective homes, every blessing of which our nature is susceptible, is the ardent wish of one who, wherever he may be, will never cease to cherish of all of you the most agreeable and affectionate recollections.

It remained for him only to announce that the house stood adjourned *sine die*.

Legislature of Pennsylvania.

SENATE OF PENNSYLVANIA.—FEB. 14, 1817.

The following preamble and resolution were offered by Mr. Lowrie, and adopted, and a committee accordingly appointed.

The United States, remote from the governments of Europe, possessing a territory enriched with natural advantages and rescources, amply sufficient not only to supply the wants of the inhabitants, but also to furnish in abundance the elegancies of civilized society, are by these circumstances favorably situated to become a manufacturing nation.

To assist in calling these advantages and resources into action—thereby rendering the United States independent of other nations—is a duty enforced by interest, patriotism and the love of independence.

The citizens of this state have already embarked extensive capitals in manufactures, particularly in iron and glass, woollen and cotton goods. But the late large and unprecedented importation of foreign articles, has given a shock to our infant manufactures, unprotected as they now are by discriminating duties; which, without the interposition of government, must result in the ruin of numbers of meritorious individuals, and also threatens the most serious and lasting injury to the future comforts and rising prospects of the community.

During this pressure, which militates against the best interests of the state, the fostering hand of government, as far as the same can be extended, becomes necessary.

Therefore,

Resolved, That a committee be appointed to take into view the situation of the manufactures of this state, and make report.

Feb. 19, 1817.—Mr *Lowrie*, from the committee to whom was *referred* the foregoing resolution, made report, which was read as follows, viz.

The committee appointed on the 14th inst. to take into view the situation of the manufactures of the state,

REPORT:—

That the short time allotted to them in the intervals of their legislative duties, has not enabled them to go into a detailed investigation of the subject committed to them. They have given to it all the attention in their power: the result has been, a strong conviction of the vital importance of manufactures to this state and the nation.

The committee cannot believe that establishments to which other nations owe their greatness, can be injurious to ours. That the great powers of Europe, during five hundred years, have been inattentive to the true sources of national greatness; that they would during that period have continued with one uniform perseverance to which all other views of policy have been subservient, to promote, encourage, and even force into maturity their manufactures, if experience had not led them to a conviction of their vast importance. A recurrence to history, and the present state of Europe, will most abundantly shew, that with manufactures nations rise and fall. The committee apprehend that the true course of national policy is following the lessons of experience, and the example and practice of every nation which has risen to greatness. We think it not sound policy to persevere in those errors which have proved ruinous to others, and in the face of conviction which ought to flow from history, experience and our own observation, to trust to the visionary expectation that the same causes which led to power in Europe will produce ruin here. That by crossing the Atlantic every maxim of national policy is reversed; that the connexion between causes and effects is dissolved; that every great and enlightened prince and nation in the old world have for centuries mistaken their vital interest, by not adhering to theories which have been exploded by practical experience.

Man and all his works are helpless in infancy. The noblest then require the protection and nourishment of a parent. Seeing establishments in their greatness, we are apt to forget the humble beginning from which they have risen; but when traced to their origin it will be found that in every enlightened government, they have been its nurslings in their infancy. In such governments, manufactures have been the favorite and almost peculiar objects of their protection; the history of all the manufacturing nations is full of proofs, that whenever a manufacture is in its infancy, it is protected by duties, bounties, and premiums on the article; privileges, protection and encouragement, to the artisan; until the manufacture has progressed so as to supply the wants of the country. Then the exportation of the raw material, the importation of the manufactured article, the emigration of the workmen, and the communication of the knowledge of the art are prohibited under severe penalties, in some cases extending to the forfeiture of life. The history of none of these nations can furnish an instance of a manufacture being left to take care of itself, or of its success when unaided by government. The committee can discern no good reason why this nation should not follow in the path which has been lighted by the experience of others, and more especially where our own teaches us the immense advantage flowing from manufactures to the places where they have been established.

A memorable instance in our own state, is furnished by the unexampled prosperity of Pittsburg—its manufactures have given to it its importance. They have increased the value of every farm within 40 miles of it, by the market which it has afforded for the productions of the earth. The prosperity of this place, and the growing importance of the country round it, leads us to the true cause why foreign governments are so zealous in protecting their own, and endeavoring to crush our manufactures; they are known to be the real sources of national life and power.

The committee would ask, whether during the late war the establishment of manufactures had an injurious effect on the value of land adjoining, or on the price of provisions? The farmer who adjoins a manufacturing town cannot surely procure a better price for his produce as the number of consumers diminish. He cannot be benefited by being

obliged to seek a more distant market; it must be an advantage to find a market at home, without the expence of transportation. One hundred men employed in a manufacture, must add to the demand for the produce of a farm, as there is that additional number to feed. A turnpike road or a country town, is of advantage to the farmer; it gives him a market at his door, and he there procures the prices of the distant market.

The same effects flow from manufactures; they increase the demand and afford a market on the spot We believe there is no farmer who thinks his interest, as an agriculturalist, is injured by his contiguity to roads, towns, mills, iron works, cotton, woollen or glass manufactories. On the contrary, he knows and feels that his land produce rises in value; that he is enriched, while he spends no capital and runs no risk. The committee think that all the errors which have affected public opinion on this subject have arisen from viewing it in the abstract, and not bringing it home to practical observation.

It will be probably impossible to point out one spot in the country which has been injured by the posperity and benefited by the destruction of manufactures and the substitution of foreign goods. It would require much refined and theoretic reasoning to convince our farmers that they will grow rich by purchasing their families' clothing at a store, and poor if it was made at home. The knitting needle, the wheel and the loom have been deemed useful articles of household furniture. What yeoman does not display with pride and pleasure the clothing made by his wife and daughters? Can such a man be convinced, that he would be more respected and richer if his family remained in idleness? Are heavy merchant's bills clogs or aids to agriculture? Would it not require the same reasoning to convince a farmer that it was as much his interest to buy his bread as his stockings? The committee can perceive no difference between family manufactures and more extensive ones, other than in the extent of the benefits; for what is profitable on a small scale must be so on a large one, as machinery with half the labor produces double the profits.

By thus testing these principles and making a practicable application to families, we come to a result which cannot be erroneous. The family which buys more than it sells, must be in debt and become poor, and it matters not whether the debt is contracted for food or raiment. The family which sells more than it buys must become rich. These effects must be the same, whether the family consists of 10, 100, 1000, or a nation; for the aggregate cannot prosper by pursuing measures which ruin all the component individuals. Prudence and economy are as necessary to a nation as an individual, and thus we find that the individual and the nation which manufactures most, are alike distinguished among their neighbors for wealth, influence and honor; and thus are the lessons of history and experience confirmed by the observation of every man in his own family.

It surely cannot be safe to disregard such monitors: this should be to every one that hears it, the voice of conviction. Folly in an individual cannot be wisdom in a nation; the same conduct which would impoverish the one cannot enrich the other. To the statesman who says that it is true policy to export the raw material and import the manufactured, the question may be put, would not the farmer be in the road to ruin who would sell his grain and buy his flour; his flax, and buy his linen; his milk, and buy his butter and cheese? If he would, it is strange that the nation is enriched by exporting tobacco and importing snuff; cotton and wool, and importing cloth; iron, and importing nails and cutlery.

The same profit which the farmer makes on the labor employed in converting his flax or wool into cloth, is made by the nation on a great scale in converting the raw material into manufactures. Cotton is exported at 20 cents a pound; it is imported manufactured at from 1 dollar to 100 dollars a pound, according to the fineness of the fabric. The difference in the price, is the profit which we pay and England receives. If it injured them, it is strange they would manufacture it. If a profit attends it, it ought to be ours. If manufactures had an injurious effect on agriculture, it must be in the depression of the prices of provisions; but experience proves the reverse. We feed the manufactures of Europe—the reason is obvious; the produce of the earth commands a better price.

This fact we think affords a salutary lesson; the manufactures of England afford to their farmers a market at home, while ours are obliged to seek it across the ocean. Their's pay no transportation and run no risk; we are obliged to encounter the perils of navigation, of enemies, of orders in council, decrees and pirates. If the export of the raw material is more advantageous than the manufacture, we cannot comprehend the policy of all enlightened governments, except ours, which prohibits the export of one and the import of the other; and still less can we comprehend the wisdom of those statesmen who contend, that to convert into money those productions of the earth which cannot be exported and for all purposes except manufactures, are of no value, (as iron ore) is bad policy. By these means, millions are annually added to the produce of this state; and the committee believe that it equally conduces to national wealth, whether money is extracted from the bowels of the earth or from its surface; each mode adds to the public stock as it adds to the value of property, produce and the sum of wealth.

It is certain that population, industry and wealth, are efficient sources of national wealth. How far manufactures conduce to these objects, the opinion of this nation expressed through the fathers of our independence, the immortal congress of 1774, seems to the committee conclusive. They recommended by a solemn resolution, that no manufacture of England should be used or worn. If in their opinion this was then necessary to rescue us from colonial bondage, if it was adopted as one of the means the most effectual to resist the tyranny of the mother country, it was because experience and reflection had convinced them, that she was most vulnerable through her manufactures. For the same reason the continental system of France has in latter days been directed, not against the territory or the agriculture of England, but her manufactures, the known and acknowledged source of her supremacy.

The committee cannot believe that the great principles of national policy can have been so soon reversed, and think that the same principles which were in 1774 necessary to rescue us, are now the only ones which can prevent us from relapsing into a virtual bondage to the parent country—that the congress of that year were not ignorant of the true interest of the country—that manufactures were then, now are, and ever will be, the vital sources of national life and power; and that it is not reserved to the theorist of the present day to teach our own, and the enlightened statesmen of all other countries, that the true principle of legislation has been hitherto undiscovered.

From personal knowledge and undoubted information, the committee believe, that in all parts of the country our manufactures are rapidly declining and sinking under a foreign combination and forced importation, and the unwillingness of the government to protect and uphold them. The intention to crush our manufactures has been publicly avowed in England, and has not been resisted here; they are left to contend unaided and unprotected, against confederacy abroad and indifference at home. The committee think that the attention of government has been drawn to smaller, and directed from the more important concerns of the country—they think manufactures the primary one, and that before they are finally crushed, some efforts should be made to revive them; once abandoned they are gone for many years. The committee are aware, and deeply regret, that the state governments can afford no efficient protection; but they can do something; they can exempt them from taxation, and workmen while actually employed therein, from militia duty—and they can recommend the subject to the attention of the members of the legislature of the union.

The committee therefore offer the following resolutions:

Resolved, That a committee be appointed to bring in a bill embracing the above principles.

Resolved, by the senate and house of representatives of the commonwealth of Pensylvania, in general assembly met, that our senators in congress be instructed and our members in the house of representatives requested, to use their endeavors to have such measures adopted, as will effectually protect and encourage the manufactures of the United States.

In the house of representatives, the following proposition was moved some days ago by Dr. Rogers:

DR. ROGERS' RESOLUTIONS.

Whereas, we most solemnly believe in the existence of a God and a Providence, who created and sustains the universe, in whose hand are the destinies of kingdoms, of empires, and all created beings—that it was the angel of Divine Providence, who walked with our fathers through the fiery furnace of the revolutionary war, and gave us a name among the nations of the earth, the most free, independent and happy; that through the benignity of the same Providence, we have been protected, through a recent bloody conflict, in the enjoyment of the inestimable privileges of religious and civil liberty; and that it is *to the same Providence* we must look for the preservation of those blessings. Under these serious and solemn impressions, we recollect with deep regret, that in so important an instrument as the "*constitution of the United States,*" there is no recognition of the existence of a God or acknowledgment of the benignity of a Providence.

To remedy this material defect, we feel it our indispensable duty to submit the following resolutions:

Resolved, By the senate and house of representatives of the commonwealth of Pennsylvania, that our senators in the congress of the United States be instructed, and our representatives requested, to use their earnest endeavors to have the preamble to the constitution of the United States so amended as to read as follows, viz.

In the name of God most holy and most merciful—We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, *gratefully acknowledging the benign Providence by which we have been raised to the rank of an independent nation, and imploring for our beloved country its continued protection:* Do ordain and establish the following constitution for the United States of America.

Resolved, That the governor be requested to forward a copy of the foregoing preamble and resolution to each of our senators and representatives in the congress of the United States, and to the executives of the several states in the union, with a request that the same may be laid before the legislatures thereof.

The question was taken on agreeing to the foregoing proposition, and decided in the negative, by a large majority.

Legislature of New York.

A reference will probably often be made to the vote below, we insert it for the convenience of our friends in New-York.

ELECTION BILL.

The following were the yeas and nays in the house of assembly, on the first clause of the bill for electing a governor of this state, at the ensuing election, in the place of gov. TOMPKINS, resigned, viz.

YEAS.—Messrs. Allen, *Ambler*, Arnold, *Barnes*, Brown, Barstow, Beach, Beckwith, *Benton. Bowen, Burhans. Callender, Camp, Carman, Carpenter, Cuck*, Carll, Child, Cantine, Day, Dickinson, Eldridge, *Emott*, Faulkner, Fonda, Ford, Gansevoort, A. Green, B. Green, Gros, Hamilton, Hedges, Houghtaling, Hilton, Hubbard, *Hammond, Hawley. Hulbert, Jones.* Jackson, Larzelere, M'Fadden, Miles. G. Miller. J. Miller, Mott, *Marsh, Noble, Ostrander, Palmer, Pendleton, Pixley*, Paine, Petrit. Pitcher, Platt, Porter, Prendergast, Rochester, Sargeant, Sears, E. Smith, R. Smith, *Sherman, Squire, Tabor, Turner*, Woods, (speaker) Wakely, *Walbridge*, Wells, Wilcoxson, Wilson, *Watson J. Whitney.*—79

NAYS.—Messrs. Blauvelt. *Campbell*, Conklin, Cook, Carson, Crolius, Doty, Eckford, Finch, Gale, Ganson, Henry, Irving, Lawrence, Lester, Mann, A. Miller, Mooers, Romaine, Russel, Sanford. Sharpe, J. Smith, S. A. Smith, Stebbins. Townsend, Warner, Webb. Webster, White, Wood.—31

ABSENT.—Messrs. *Albert*, Barber, Hallock, Keeler, *Kissam*, Lee, Maynard, Olmstead, Parsons, Peck, Victory, N. Whitney, *Williams.*

The house in committee of the whole———Mr. *Duer* in the chair.

The names in *Italic* are *federal.—Albany Register.*

The following were the yeas and nays in the senate on the same question:

For the affirmative.—Messrs. Baets, Bicknell, Cochran, Hascall, Hart, Knox, Livingston, Mallory, Noyes, Prendergast, Ross, Swift, Swart, Tibbits, Van Buren, Van Vechten.—17

For the negative.—Messrs. Bowne, Cantine, Crosby, Ditmis, Elmendorf, Keys.—6

Legislature of Delaware.

GOVERNOR'S ADDRESS.

Gentlemen of the senate, and

Gentlemen of the house of representatives:

In obedience to the voice of my fellow citizens, I appear before you this day, for the purpose of entering on the exercise of the duties of the first magistrate of the state. Permit me to tender, through you, to my fellow citizens, my grateful acknowledgements for their partiality and kindness. The honor they have conferred upon me, I will endeavor to merit by constant and unremitted exertions to perform the duties of the station to which their suffrages have called me. My only object shall be to act, with a single eye for the public good and the happiness and prosperity of the people. I shall indeed be most happy, if my exertions should be crowned with success and be favorably received. But I cannot flatter myself, that my administration will be exempt from errors. Such an expectation would be presumptuous. Relying how-

ever for support, on the goodness of that Almighty being, who has so peculiarly blessed the American people; on the rectitude of my own intentions, and on your co-operation and assistance, I hope that the errors I may commit, may neither be many nor injurious. And I trust that all my public acts may be examined dispassionately and judged of charitably.

Allow me, gentlemen, on this occasion to suggest to you the great importance of inculcating the highest regard and veneration for the constitution of the United States. That sacred instrument was formed by the best and wisest men, at a time peculiarly favorable. It was the result of a spirit of amity and of mutual deference and concession among the several states. It is the bond of their union, and that which alone renders the American nation powerful and respectable. It contains all the great essentials of a free government, and on it depends in a very particular manner the independence of this state and the freedom and happiness of its citizens. Amendments, therefore, that may be proposed to it should be received by us with great coldness and caution, and should not be acceded to without the very fullest conviction of their absolute necessity, let them come from what source they may. If alterations be lightly made, they may succeed one another till the great principles which it contains are entirely departed from, and all respect for it is totally lost. Let us then cherish it as "the palladium of our political safety and prosperity"—let us "watch for its preservation with jealous anxiety" and "discountenance whatever may suggest even a suspicion that it can in any event be abandoned."

Our state constitution is also entitled to the highest respect and reverence, and its provisions should be faithfully observed. There is not however the same danger to be apprehended from examining into its provisions and amending them where amendments may be found necessary, that there is in regard to the constitution of the United States. Amendments to our state constitution ought, though, to be made with great caution and only for sound and weighty reasons. The provision contained in it respecting amendments, is wise and judicious, and prevents rash and precipitate alterations.

It is our duty, gentlemen, at the same time, that we protect and guard with the greatest care and circumspection the sovereignty and rights of this state, to cultivate harmony and a good understanding with the government of the United States. As a member of the union, it is incumbent on us faithfully to perform all our duties to the general government and our sister states, and to contribute as far as lies in our power to the strength, prosperity and glory of the American empire. In the performance of these duties, and the advancement of these objects, the people of Delaware will add to the respectability of their state and increase their own prosperity and happiness; for as we increase the strength, prosperity and glory of our own state, so do we contribute to the strength, prosperity and glory of the United States. Let us all then, both as public and private citizens, be extremely cautious not to excite the spirit of party. It has been the destroying angel of republics. "In governments of a popular character and purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain, there will always be enough of that spirit for every salutary purpose; and there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it."—Let us entertain no partialities for foreign nations; but let us be Americans *only* in affection, in sentiment and deed. Let us encourage a manly, patriotic and enterprising spirit.—Let us cherish the agriculture, manufactures and commerce of our own country and endeavor to render her really independent of all other nations. Let us be careful and assiduous in the education of our youth; and in the dissemination of knowledge and the useful arts among us, and by all means let us cultivate the most sincere regard and reverence for morality, virtue and religion; those main pillars which support the fabric of republicanism: destitute of these, our free constitutions and laws will become as waste paper, the people will cease to be true to themselves; liberty will be banished the land, and slavery and oppression will triumph in its stead.

I proceed gentlemen, to take the oaths of office; and if I deem it necessary during the continuance of your session to direct your attention to any particular objects of legislation, in addition to those already suggested by your own wisdom and intelligence and the recommendation of my predecessor, it shall be done by message. And may the supreme ruler of the Universe preside over your deliberations, and so direct all your proceedings, that they may redound to his glory and the safety and happiness of the people.

JOHN CLARK.

Dover, January 21, 1817.

Legislature of Kentucky.

The yeas and nays on the question relative to the election of a new governor to supply the vacancy occasioned by the decease of the beloved Madison, may be useful to our friends in that state, and are therefore given.

For a new election.—[Mr. Speaker,] Messrs. Armstrong, Barbour, Breckenridge, Clarke, Coburn, Dallam, Davenport, Duncan [of Daviess], Fleming, Gaines, Hart, Hickman, Hopson, Hunter, James, I. Jones, Irvine, Lackey, Metcalfe, Owings, Parker, Rice, South, Trigg, Turner, Wall, and D. White—28.

Against a new election.—Messrs. Barrett, Birney, Blackburn, Booker, Bowman, Caldwell, Carson, Cook, Cotton, Cox, Cummins, Cunningham, Davidson, Davis, Dollahide, Duncan [of Lincoln] Eggleston, Ewing, Ford, Gaither, Garrison, Gilmore, Given, Good, Grant, Green, Grundy, Harrison, Hawkins, Helm, Holeman, Hornbeck, H. Jones, Logan, Love, Marshall, Mercer, Mills, Moorman, Monroe, M'Cown, M'Hattan, M'Mahan, M'Millen, Reeves, Robertson, Rowan, Rudd, Shepherd, Slaughter, Spillman, S. Stephenson, Stapp, T. Stevenson, Todd, True, Underwood, Ward, P. White, Wier, Wickliff, Woods, and Yantis—62.

ADDRESS TO JAMES MADISON.

The legislature of this state adopted the following address, and respectfully solicited his excellency Gabriel Slaughter, lieutenant governor, to transmit it to the president:—

Sir—The legislature of Kentucky present you with an expression of their feelings and sentiments on the close of your administration. We know that the approbation of republican citizens is the noblest reward that can be conferred on their chief magistrate, and your approaching retirement will soon exhibit you on a level with other private citizens, distinguished for your virtues and past services—a situation where no congratulatory address can be supposed to elicit in return the favors of executive patronage. Your services in advocating the constitution of your country; in filling with fidelity many important offices under that government, and thereby promoting its welfare—in approaching the presidential chair—in conducting that arduous and important office with correct policy—in managing the helm of state through a just and necessary, but a tempestuous and boisterous war, difficult on account of the power of the enemy, but rendered more dangerous by faction at home—recommended by your patriotism, prosecuted under your auspices,

and terminated gloriously by your undeviating perseverance, presenting a crisis unknown to any other chief magistrate since the adoption of our constitution—all demand of us an unequivocal declaration of your title to the lasting gratitude of the people of Kentucky; and while we contemplate with delight the elevated attitude of this nation among the civilized governments of the age, we will cherish with pleasure the memory of the man, whose talents and services have so eminently contributed to his country's character and unsullied honor.

Mr Rowan offered an amendment excepting from the approbation of the legislature so much of the president's conduct as related to his approbation and signature of the compensation law, and the affair at Bladensburg. The question being taking on so much of the amendment as related to the compensation law, it passed in the negative—ayes 9—noes 66. Then on the affair at Bladensburg, and negatived—ayes 5—noes 70.

The following are the yeas and nays, on the passage of the address—

YEAS—Mr. Speaker,—Messrs. Armstrong, Barbour, Barrett, Blackburn, Booker, Breckenridge, Carson, Clarke, Coburn, Cotton, Cox, Cummins, Cunningham, Callam, Davenport, Davis, Dollahide, Duncan (of Daviess,) Duncan (of Lincoln,) Ewing, Fleming, Ford, Gaines, Garrison, Goode, Green, Grundy, Hart, Hickman, Hopson, Houmen, Hunter, Jamison, H. Jones, Irvine, Lackey, Logan, Mercer, Metcalfe, Mills, Monroe, M'Coun, M'Hatton, M'Millan, Owings, Parker, Reeves, Rice, Robertson, Rudd, Shepard, South, S. Stevenson, Stapp, T. Stevenson, Todd, Trigg, True, Underwood, Wall, Ward, P. White, D. White, Wier, Wickliff, Wood, and Yantis —58.

NAYS—Messrs. Birney, Cooke, Davidson, Gaither Gillmore, Given, Grain, Helm, Hornbeck, Marshall, M'Mahan, Rowan, Slaughter, Spillman, and Turner—15.

The senate concurred—those opposed to the address on the yeas and nays being called for, withdrew their opposition (says the Argus) and the vote was entered "unanimously."

General Armstrong privateer.

The Washington City Weekly Gazette, remarking on the claim for indemnity, and the report of the committee of the senate on the petition of the owners, observes:

"The report is unfavorable to the prayer of the petitioners, and the reasons set forth are just and conclusive. There is no fixed principle of law or equity under which the United States can be called upon to make good a loss sustained under the circumstances of the present case. In the attack and destruction of the general Armstrong, a flagrant violation of the neutrality of a port, was committed, and the law of nations and usages of civilized powers unite in pointing out the correct and acknowledged course in obtaining indemnification; and from the peculiar circumstances of this transaction, there is no doubt but the Portuguese government will, on prompt representations, make good all the loss sustained on this occasion, and although not a subject proper to be debated upon, we feel no doubt that the British government will also reimburse the Portuguese government for the assumption of this claim, brought on by the imprudent zeal and culpable conduct of her officers. It is, then, through the government of the United States, that the owners of the General Armstrong must seek redress from Portugal, and there can be little hesitation in declaring that no efforts will be wanting to command justice.

"The committee of the senate would not permit themselves to report without paying a just tribute to the gallant efforts of capt. Reed, and his little crew, in repelling an attack made under such discouraging circumstances. It can never cease to be an object of astonishment and just pride to the nation; and the more that defence and its awful effects are examined, the more securely we may rely on the skill and bravery of our officers and seamen.—Captain Reed, we understand, is not interested in the General Armstrong, nor does he petition for indemnification or relief; he has, however, no less claims on the liberal consideration of his country."

The naval committee of the senate, to whom has been referred the memorial of Frederick Jenkins and Rensselær Havens, in behalf of the owners, officers and crew, of the late private armed brig General Armstrong—

REPORT—

That the memorialists state, that on the 26th of Sept. in the year 1814, while the private armed brig General Armstrong was lying at anchor in the port of Fayal, she was attacked by a superior British force, and, after a brave resistance by her commander, Samuel C. Reed and his valiant crew, was destroyed. They also state, that the vessel and armament cost forty-two thousand dollars, and pray that such relief, indemnity, or compensation, may be extended to the owners, officers, and crew of the privateer, as, under the peculiar circumstances attending her destruction, may be deemed by congress just and equitable.

The committee are left to conjecture the grounds on which the memorialists rely for a remuneration or indemnity from their own government. It is presumed, however, that if the claim must be supported at all, on one of the two grounds. 1st. Because the vessel and armament were destroyed by the public enemy, in a neutral port, and in viola- of the laws of nations; or 2dly. Because the brave and gallant defence of captain Reed, his officers and crew, entitle them to the bounty of the government.

The committee are unable to perceive what rights of indemnity the citizens of the United States can acquire against their own government for losses sustained in consequence of the violated rights of a third party. It is the duty, no doubt, of all governments to extend to the person and property of the citizen all the protection in their power. It is the end of all governments to do so. It is the right of the citizen to make known his wrongs to his government, and it is the duty of the government to seek redress by such means as it may deem expedient. The neutrality of Portugal was grossly violated in the case of the private armed ship General Armstrong. It was the duty of that government to preserve her neutral character, and to protect the brig and all on board, from any hostile attack while in her port. Either from want of ability or inclination she failed to do so; but can this failure to support its own rights, and perform its duty towards us, vest a right in an individual to come on his own government for indemnity on account of a pecuniary loss? The United States it is believed have done or will do, what comports with their rights and their character. That indemnity from Portugal for the loss of this property, should be insisted on as an affair of state, is perhaps highly proper; but the committee cannot perceive how the weakness or the delinquency of Portugal can impose on the United States the duty of indemnifying the memorialists for the loss of the brig and her armament.

The committee believe that this opinion is in conformity with the practice of this government, and perhaps of all governments. Antecedent to the year 1802, much property belonging to citizens of

the United States, has been wrongfully seized by the cruisers of France. In no case, known to the committee, did this government indemnify its citizens from its own treasury. Indemnity was sought from France by negociation, and obtained in the Louisiana convention. Citizens of the United States, at this moment, have claims to a vast amount against the governments of France, Spain and Naples, for property seized in violation of all right. On principle, all these claimants have the same right to demand indemnity from their own government as the memorialists in the present case; for, in principle, the committee can see no distinction between a private armed ship and a merchant ship; nor between property captured and converted to the use of the captors, and property destroyed by a third party omitting to do its duty.

If this is a mere appeal to the liberality of congress; if the memorialists rely for the success of their application on the bravery, gallantry, and good conduct of captain Reed, his officers and crew, in the defence of the vessel, then the committee are sensible that a stronger case of the *kind* could not present itself. The stubborn bravery, the cool intrepidity and presence of mind displayed by captain Reed and his associates, in the defence of the ship, was, perhaps, never equalled, certainly never surpassed, by any private armed vessel, in the annals of naval warfare. It has excited the admiration of the nation, and cannot fail to immortalize those concerned. If actions like this are to be rewarded with money, too much could not be given; but government is but the trustee of the nation and is bound, deliberately, to examine into the principle on which the treasure of the nation is bestowed, and the extent of the precedent which is set in bestowing it. It is unknown to the committee that congress, as yet, has ever dispensed its bounty, or in any way bestowed a gratuity for any achievement, except to its own peculiar force; nor in any case except there was *victory*. The committee are of opinion that it would be inexpedient to do so. It would open the treasury to a class of cases, arising out of the last war, which would be extensive and erroneous. The effect of such a measure must be counted on, for they would be felt in all future wars.

The case of the Essex, attacked also in a neutral situation, was a strong one. The defence there too was valiant, persevering, and highly honorable to all on board, as well as to the nation, yet congress has done nothing, for the essential quality of victory was wanting to the transaction. The committee, therefore, in whatever aspect they view the application of the memorialists, are of opinion, that it would be unsafe and inexpedient to grant it, and recommend the following resolution:

Resolved, That the committee on naval affairs be discharged from the further consideration of the memorial of Frederick Jenkins and Rensselaer Havens.

Appointments and Promotions.

By the president and senate, previous to the 4th of March, and not heretofore announced.

William C. Bradley, of Vermont, to be agent under the fifth article of the treaty of peace with Great Britian.

Charles Pelham, of Kentucky, to be surveyor of the port of Limestone, in Kentucky.

Christopher Hughes, jr. to be secretary of the legation to Sweden.

Bathurst Daingerfield, of Alexandria, to be surveyor and inspector of the revenue for the port of Alexandria.

McQueen McIntosh, to be surveyor and inspector of the revenue for the port of Darien, in Georgia.

Lemuel Howel, to be collector and inspector of the revenue for the port of Burlington, New-Jersey.

Beverly Chew, of Louisiana, to be collector and inspector of the revenue for the district of Mississippi.

Thomas Morris, to be marshal for the southern district of New-York.

Henry Dodge, to be marshal of the district of Missouri.

Charles Lucas, to be attorney of the United States for said territory.

Henry Wilcox, to be surveyor and inspector of the port of Marietta.

Since the fourth of March.

James M'Kay, to be attorney of the United States for the district of N. C.

Benjamin Parke, of Indiana, to be judge of the district court of the United States in the state of Indiana.

Thomas H. Blake, to be attorney of the United States for the district of Indiana.

John Vawter, of Indiana, to be marshal of the said district.

Daniel Sutton, of Louisiana, to be register of the land office north of Red river.

Henry Bree, of Louisiana, to be receiver of public monies north of Red river.

Adam Lynn and *George A. Thornton*, to be justices of the peace for Alexandria county, in the district of Columbia.

Promotions in the navy, confirmed by the senate since the 4th of March.

Masters commandant to be captains.

Edward Trenchard, John D. Henley.
John Downes, and

Lieutenants to be masters commandant.

Joseph J. Nicholson, Alexander J. Dallas,
Walter Stewart, John B. Nicholson, and
John H. Elton, Seekman V. Hoffman.
Edmund P. Kennedy,

Sailing masters to be lieutenants.

James Trant, and Uriah P. Levy.

And the following midshipmen to be lieutenants, viz.

Enoch H. Johns, Ralph Voorhees,
Charles Lacey, James B. Taylor,
William Arthur Lee, Robert E. Searcy,
Clement W. Stevens, Thomas A. Conover,
Charles Boarman, James Nicholson,
French Forrest, Archibald S. Campbell,
Edgar Freeman, William Taylor,
Thomas A. Tippitt, Thomas H. Bowyer,
William E. M'Kenney, Alexander Eskridge,
Edward Greenwell, Ebenezer Ridgeway,
William J. Belt, George W. Isaacs,
Charles H. Caldwell, John D. Fischer,
William Jameson, Henry R. Warner,
James W. H. Ray, John H. Graham,
William Bœrum, John C. Long,
Ch. L. Williamson, Nathaniel Carter, jun.
William W. Ramsay, Henry Ward.
Charles Gaunt,

Adjutant and inspector-general's office,
March 3, 1817.

General order.—The following promotions have been made in the army by the president of the United States, with the advice and consent of the senate, since the publishing of the register on the 1st of January last, viz:

Light artillery.

1st Lieut. Wm. F. Hobart, to be captain, 1st Jan. 1817.

1st Lieut. Geoege N. Morris, to be captain, 15th Jan. 1817.

2d Lieut. Elijah Lyon, to be 1st lieut. 1st January, 1817.

2d Lieut. Samuel Washburn, to be 1st lieut. 15th Jan. 1817.

Brevet 2d lieut. Thomas I. Gardner, to be 2d lieut. 1st Jan. 1817.

Do. 2d lieut. B. L. E. Bonneville, to be 2d lieut. 15th Jan. 1817.

First regiment of infantry.

2d Lieut. Thomas Rogers, to be 1st lieut. 31st October, 1816.

Third regiment of infantry.

1st Lieut. James Hackley, to be captain, 17th May, 1816.

2d Lieut. Asher Philips to be 1st lieut. 17th May, 1816.

Fourth regiment of infantry.

1st Lieut. Wm. Nelson, to be capt. 1st Dec. 1816.

2d Lieut. Philip Wager, to be 1st lieut. 1st Dec. 1816.

2d Lieut. Joseph Shommo, to be 1st lieut. 31st Dec. 1816.

2d Lieut. Henry Wilson, to be 1st lieut. 31st Dec. 1816.

2d Lieut. George B. M'Claskey, to be 1st lieut. 31st Dec. 1816.

Fifth regiment of infantry.

1st Lieut. Henry Whiting, to be capt. 3d March, 1817.

2d Lieut. Nathan Clark, to be 1st lieut 3d March, 1816.

Seventh regiment of infantry.

2d Lieut. Joseph W. Allston to be 1st lieut. 20th Dec. 1816.

2d Lieut. Robert H. Goodwyn, to be 1st lieut. 1st Feb. 1817.

Eighth regiment of infantry.

1st Lieut. David Riddle, to be captain, 3d Dec. 1816.

2d Lieut. Charles Stevens, to be 1st lieut. 3d Dec. 1816.

Appointments.—Claude Crozet, to be professor of Engineering at the military Academy, 6th March, 1817.

Capt. William Tell Pousin, to be assistant Topographical Engineer, 6th March, 1817.

Abraham Wendell; to be 2d lieutenant in the 3d infantry, 5th March, 1816.

Henry R. Dulany, to be 2d lieutenant in the 4th infantry, 5th March, 1817.

Martin Thomas, to be 3d lieutenant of Ordnance 5th March, 1817.

By order, D. PARKER.
Adj. and Ins. gen.

Mint Establishment.

The following gives us the aggregate facts of a letter from the secretary of the treasury to congress, dated February 27, 1817, "transmitting sundry statements relative to the operations of the mint of the United States."

Summary statement exhibiting the value of coins made at the mint; the amount of disbursements on account of the establishment; the amount allowed for wastage; the amount retained of deposits; and the amount gained on the coinage of copper from the commencement of the institution to the 31st of December, 1816, viz:

Value of gold, silver and copper coinage, up to the 31st Dec 1815,		$13,479,715 49 5
Gold coins made from Jan. 1, to Dec. 31, 1816, per account A,		
Silver coins made from Jan. 1, to Dec. 31, 1816, per account A,	$28,575 75 0	
Copper coins made from Jan. 1, to Dec. 31, 1816, per account B,	28,209 82 0	
		56,785 57 0
Total value gold, silver and copper		13,536,501 06 0
Nett charge on the coinage of gold, silver and copper, to the 31st Dec. 1815,	476,888 91 5	
Add amount gained on the coinage of copper to the same period	38,156 62 0	
	515,045 58 5	
From which deduct amount wastage gold & silver, to December 31, 1815, 51,210 65 5		
Also amount wastage fr. Jan'ry 1, to Dec. 31, 1816	51,210 65 5	
		463,834 88 0
Add amount disbursed on account of the establishment from Jan. 1, to 31st Dec. 1816,		18,039 00 0
Add also the amount wastage on gold and silver, to Dec. 31, 1815	51,210 65 5	
Add also the amount ditto, from Jan'y 1, to Dec. 31, 1816,		
	51,210 65 5	
From the above deduct the amount retained fr. deposits to December 31, 1815, 7,773 59 0		
Also this sum from Jan'y 1, to Dec'er 31, 1816,	7,773 59 0	
		43,437 06 5
		525,310 94 5
Deduct amount gained on the coinage of copper, from the commencement of the institution to December 31, 1816,		42,473 44 0
Nett amount chargeable to the coinage of gold, silver and copper, from the commencement of the institution to Dec. 31, 1816, including the cost of lots, buildings and machinery		482,847 50 5

Comptroller's office, Feb. 22, 1817,
(Signed) ANDREW ROSS, *clerk.*

Foreign Articles.

ENGLAND, &c.

The city of London has taken a very decided stand in favor of parliamentary reform, and against the present administration of the government; of which the people at large speak with uncommon freedom.

The papers teem with essays, which, by enlightening the people, must alarm their oppressors—whose whole reliance now seems on the bayonet. If that fails them, as it failed in France, they must go.

The magistrates in some parts of England have agreed to represent to the chancellor of the exchequer the reduced state of the country by taxes and rates, and the *impossibility* of paying those becoming due.

In Spitalfield's district, late famous for its prosperous manufactures, it is stated that nearly two thirds of the people are unemployed. Many that used to live respectably have parted with their very beds and clothing to procure food for their families—after having sacrificed their looms and tools

A Luddite, named James Towles, has been executed at Leicester. He conducted himself, says the account, with great propriety during his confinement, "but elicited nothing that would at all implicate the Luddites, in whose dark and diabolical system he has been the first to suffer."

The arrival of Mr. Hughes in England is honorably noticed in the London papers, on account of his benevolence at Carthagena.

American stocks at London, December 30.—6 per cents 94.

The receipts of the British government, for the year past, however heavily the people are taxed, are about, or almost, an hundred millions of dollars less than its expenditures, and this amount must be borrowed to keep the wheels a-going.

Now, the whole debt of the United States amounts to about as much as this *deficiency* of the British revenue, in a time of peace, and after the "glorious victory of Waterloo"—and our debt will be reduced by nearly one-fourth of its amount in the present year, though the direct tax has ceased!

To relieve the people, the *prince regent* has recommended the general use of *shoe-buckles*, as a common article of dress. If the fashion prevails in England, it will no doubt reach the United States, where we have fools enough ready to pay their portion of tribute to support the *dignity* of the British crown. Let us take it in time, and every head of a family resolve to resist this useless, *tax gathering* fashion.

The Navy. The state of the British navy stood thus on the 1st of January—at sea, 92 vessels, of which 10 were of the line and 30 frigates; in port and fitting 53, of which 12 were of the line; guard ships 0; hospital and receiving ships 25—13 of them of the line; in commission 170, of which 35 were of the line, 4 from 50 to 44 guns, and 44 frigates; in ordinary and repairing 370, of these 115 were of the line, 16 from 50 to 44 guns, and 96 frigates; building 30, 16 being of the line. Grand total of every description 570.

The cry of distress is heard from all quarters—but circulars, from the department of state, call upon the lord lieutenants of the counties, to encourage the enrollment of respectable householders, to serve as special constables, and direct that the yeomanry corps should always be held in readiness.

We see a pompous account of a ball given on board a Russian frigate lying off Woolwich, (Eng.) on the anniversary of the emperor's birth—we notice it on account of the following paragraph:

"The double sound of a trumpet announced the arrival of the patriot Francis, who fought so gloriously in our cause in America: he was dressed in a most splendid suit of red and gold, and by his side he wore a tomahawk, mounted in gold, presented to him by the prince regent; he appeared much delighted with the appearance of the frigate."

We suppose this "patriot Francis" is a savage.

In the parish of St. Leonard's, Shoreditch (says the "Statesman") there have been issued *three thousand six hundred* warrants of distress against inhabitant-householders, for default of the last quarter's poor-rate.

FRANCE, &c.

Failure in an attempt at "restoration." We have a long and laughable account of an affair between the priests and the people at Chatellerault, in France. The amount is, that the chief physician of the place died without having received the sacrament, and the priests refused the customary rites to his remains, the grand vicar approving their resolution.—But the people, by whom the deceased was beloved, forced the doors of the church, and caused the funeral procession to enter as usual, and compelled a few priests they laid hold of, to perform the common service for the dead. The military was called out to stop this terrible outrage; but the people kept the soldiers at bay until the ceremony was completed! The affair made a great noise. Since then the people of the place have manifested a disposition to treat the priests—*as they deserve.*

There is a report that *Carnot* is confined in the dungeons of Magdeburg, which, however, is doubted by some on account of the flattering treatment he had received from the allied sovereigns.

A London paper of the 18th of January, says king Louis has the dropsy, and that his case is hopeless.

The loan.—The French have succeeded in negociating a loan of 12 millions of pounds sterling to meet the deficiency of the revenue for the year. The contractors are Baring & Hope, of London; Parish & Co. of Hamburg, and a banker at Paris. The terms are not stated—one half of the amount is to be paid in money, and one half in supplies for the allied troops in France; of whom, it is said, all but 30,000 are to be immediately withdrawn.

Paris Dec. 18.—From the establishment of the decimal system to August, 1816, the money coined amounts to 1,629,666,538 francs, of which 150 millions were gold. The money coined with the head of Louis XVIII. amounts already to 213,815,475 francs, of which 116 millions were in gold.

SPAIN.

The deficits of the Spanish revenue for 1815 and 1816 amount to thirty-five millions of dollars. The estimated revenue for 1817 is not more promising, and there is a talk of attacking the fat incomes of the priests. But this will not do.

PORTUGAL.

This country suffers exceedingly from the departure of men of capital and enterprize for Brazil.—The British had better, at once, take it wholly under their "*protection*"—that is, make a colony of it. It is said, however, that the king is about to *visit* the country.

EAST INDIES.

The loss by the late fire at the isle of France is estimated at ten millions of dollars—1482 houses were burnt. The port is to remain open for 18 months, if sanctioned by the government of England.

A conspiracy of the natives against the Europeans in Java, is said to have been detected, for which many were put out of the way.

CHINA.

Some new difficulties appear to exist between the Chinese and British at Canton. The latter have trespassed on the regulations of the former—the "security merchants" are ordered into the city, and the lighters are not permitted to go down with cargoes. The mandarin of Canton will bring the British commander to *reason.*

The purpose of the British embassy to China has

entirely failed. The emperor refused all the presents except the portraits of the king and queen of England.

"SPANISH AMERICA."

The defeat of the patriots near Barcelona, mentioned in our last paper, is now understood to be totally false—a thing of royal manufacture. On the contrary, they appear to be generally successful, and steadily pushing towards the great end of their labors, in achieving the independence of their country.

The government of the united provinces of the Rio de la Plata have issued a decree to encourage privateering against the Spaniards. Particular rewards are promised to cruisers that shall intercept despatches or take transports with troops or munitions of war. The mode of boarding neutral vessels is prescribed. All prizes are to be free of duty and all articles of war. Negroes between 12 and 40 years of age, taken, are to be paid for by government—to serve in the army, and after a certain period to be free. All not fit for service to be free at once. All vessels of little value, taken on the high seas are to be burned. In Peru the patriot warrior Don Manuel Ascensio Padella has deceased.

Our accounts from this country are pleasant. The cause of liberty, and hatred to tyranny, prospers The Portuguese expedition does not appear in the least to alarm the people.

The disputes between the British and Spanish at Havana, relative to the specie saved from the British sloop of war Tay, have assumed a pretty serious appearance. The latter will not give up the cash—they also treated the captain and crew of the Tay most ignominiously, and trampled upon the British colors, &c.

It is again stated that the patriots contemplate the capture of Pensacola. It has a very fine harbor, and on that account would be of great importance to them. They ought to take it.

Agricultural.

[LONG DEFERRED.]

The following report of the committee of agriculture and of domestic manufactures, are extracted from the Pittsfield Sun.

They were read in the order of proceedings of the late cattle show and fair in Pittsfield, and are deserving the attention of our agricultural readers. Probably the organization of a visiting committes of farmers, to inspect crops standing in the field, is altogether original, and the effect, we are told, very interesting. Eleven of the most respectable farmers of Berkshire, are annually selected as a committee to award premiums on crops. They meet at Pittsfield the early part of July; receive from the secretary of the society an abstract of the names of candidates; their residence, and articles offered for premium. The committee then settle their route, and proceed from farm to farm, usually followed by a train of anxious spectators. The candidates being apprized of the day and route of the committee, are well provided with substantial home-made fare to greet them under their roofs.—The committee then enter into the midst of their fields of grain, attended by the anxious candidates; thus proceeding from town to town till they have fulfilled the duty assigned to them which requires several days.

The chairman of the committee is the farmer who has produced the best farm the year preceding, and received the society's diploma and an exemption from all taxes to the society thereafter.

REPORTS.

The committee of the Berkshire agricultural society appointed for viewing crops standing in the fields, have faithfully attended to the discharge of their important trust and beg leave, respectfully, to report:

That they noticed with peculiar pleasure a growing attention to improvements in agriculture in every part of the county, where their duty called them, which was gratifying to them especially as it was manifest that these interesting results of our own enquiries were principally owing to the effects of your society in diffusing a laudable spirit of emulation among our farmers, which has stimulated a general ambition to excel, not only in raising good crops but keeping buildings and fences in better repair. It is, therefore, our earnest wish and entreaty, that the members of the society, and the community at large, will contribute liberally to the support of an institution so eminently calculated to do good to the whole country.

We will not, on this occasion, trespass on the time of the public by going into a detail as to the best method of fencing, of collecting and creating manures, or of raising and preserving fruit trees, and many other objects interesting to every farmer. At the same time we beg leave strongly to recommend a general attention to these interesting objects, that the society and posterity may derive knowledge and benefit from our experience.

Your committee cannot refrain from expressing their deep sense of gratitude and praise to Almighty God, in blessing this people with such abundant crops of wheat, rye, oats, flax and pease, notwithstanding the uncommon cold, and severe drought, they were never greater. Indian corn having, for the same reasons, generally failed, the applicants on this article generously waved their premiums and are entitled to the thanks of the society. The candidates were numerous, and had the season been favorable, the whole community would have been sensible of the visible effects of your premiums.

On the suggestion of the president, your committee examined a mill, erected by capt. Merrills, for grinding Plaister of Paris on an extensive scale; and they beg leave to recommend it from its promised utility, as an object worthy of premium.

By order of the viewing committee of agriculture.

JOEL BRADLEY, *Chairman.*

The committee of domestic manufactures, after awarding the several premiums made the following remarks:

It is with regret your committee notice an evident diminution of domestic manufactures the present year, probably occasioned by the peculiar situation of the times; but we notice with pleasure, a variety of articles exhibited by sundry persons which though not named in the list of premiums, discover a superior style of workmanship, the manufactures of which, are entitled to the highest praise.

SOLOMON WARRINER, Ch'n.

CHRONICLE.

PENNSYLVANIA. *Public ordnance and arms,* in the arsenal at Philadelphia, &c. Ordnance, chiefly brass, 38 pieces, 12, 9, 6 and 4 pounders; muskets, 20,875; rifles, 1,725.

Nomination for Governor. At a convention of delegates from the respective counties of the commonwealth of Pennsylvania, elected by the people for nominating a suitable person for the office of governor, present a representation for all but three

counties. *Jacob Holgate* was called to the chair, and Andrew Stewart and I. D. Barnard appointed secretaries.

After an examination into the election of the delegates, *William Finlay*, *N. B. Boileau* and *Isaac Weaver* were put in nomination for governor, and a ballot being had, Mr. Finlay had 99, and Mr. Boileau 14 votes.

So it was agreed that William Finlay be recommended to the republicans of Pennsylvania, to be supported as their candidate for governor at the ensuing election.

There has also been a convention at *Carlisle* for the same purpose—present, delegates for thirteen counties and the city of Philadelphia. Hamilton Humes in the chair, F. A. Muhlenburg, Presley C. Lane, Isaac Weaver and John Steal, were put in nomination, but all withdrawn except the first named, who was agreed upon unanimously to be recommended to the freemen of Pennsylvania for their support at the election in October next.

Both candidates are republicans.

Toast, drank at Philadelphia on the 4th of March —" Commerce—The jolly boat of the American seventy-four, called agriculture and manufactures."

Prisoners. In a brig lately arrived at Charleston, from London, there was brought twenty eight negroes, "taken prisoners during the late war," some of whom were supposed to be slaves.

The 4th of March has been observed at many places with public feasts and toasts. The venerable *John Adams* was a guest at one of these at Boston.

Naval.—The U. S. frigate Java, captain Perry, has arrived at Newport, and the sloop of war Ontario, capt. Downes at Annapolis, from the Mediterranean, bearing dispatches from com. *Chauncey*, who, it is understood, has *persuaded* the dey of Algiers to recognize the treaty he made with com *Decatur*, with some unimportant modification. The dey, it is said, respects our nation very highly, but has given com. Chauncey rather to suppose that he will not observe the treaty any longer than he can help *Exmouth's* attack seems, (as we supposed it would) to have been of real service to him—his works for defence are in a much better condition than ever they were, and he was preparing a new navy. Our squadron, generally, was at *Port Mahon*, when these vessels left it.

We have ahead noticed the decease of lieut. Elliot. He died on board the Ontario in October last.

MEDITERRANEAN AFFAIRS.

A vessel, arrived at Norfolk, brings the following copy of a circular from commodore *Chauncey* to the Mediterranean consuls:

(CIRCULAR.)

U. S. ship Washington, Mahon, Jan. 1, 1817.

SIR—I am happy to inform you that the treaty of peace and amity was concluded with the dey and regency of Algiers, on the 25th ult. which, in its principal features, is the same as the treaty of June, 1815.

Our relations with the other Barbary powers remain as we could wish them, and the American trade has nothing to apprehend from the cruizers of either of those powers.

Be pleased to communicate this information to all the American merchants and ship masters within your district.

I have the honor to be, sir, very respectfully, your most obedient humble servant,

I. CHAUNCEY.

To Bernard Henry, esq. U. S. consul, Gibraltar.

Com. Macdonough.—The sword voted to the hero of Champlain by the state of New York, has been presented to him in ample form, at Hartford, by a committee of gentlemen appointed by governor *Tompkins* for the purpose.

Gen. Jackson.—Thomas Lee, Thomas Bennett and J. S. Richardson, esquires, for the ladies of Charleston, S. C. have presented to the "man of Orleans," through col. Hayne and maj. Gadsden, the elegant silver *Vase* prepared at their cost for him.

Defence of the Delaware.—Capt. Babcock, of the U. S. corps of engineers, is advertising for 24,000 perches of building stone and 60,000 bushels of lime, to be delivered at the Pea-Patch.

Steam-boats.—Sundry persons concerned in the shad and herring fishery on the Potomac, have presented a petition to the Virginia legislature, praying that steam-boats may be forbidden to run in the month of April; because, they say, that the noise of these boats, which may be heard several miles, and the agitation of the air and water drive away the fish.

Com. Barney.—At the entertainment, by the citizens of Frankfort, Ky. of com. Barney, the following toast was given—

"Our welcome guest, commodore Barney—So long as bravery shall constitute a trait in the American character, so long will his fame rank high in the annals of his country."

On which he arose and addressed the company with—

"Gentlemen—The honor which you have just conferred on me, claims my sincere thanks. It is the only reward a *republican* soldier should ask: that independence which I contributed to establish in the revolution, and to maintain in the late war, I am ready to support with the last drop of my blood."

At the entertainment by the members of the legislature, the toasts given at which were, indeed, excellent, the following was drank—

"Commodore Barney, our gallant guest—Two wars, the land and the ocean, bear witness that he is a patriot and soldier."

When this toast was drank, the commodore rose and said,

"Gentlemen—The testimony of respect which you have this day given, is doubly dear to me, as coming from the legislature of Kentucky. I had the good fortune to be in seventeen battles during the revolution, in all of which the star-spangled banner triumphed over the bloody cross, and in the late war I had the honor of being engaged in nine battles, with the same glorious result, except in the last, in which I was unfortunate, although not in fault. If there had been with me 2000 *Kentuckians* instead of 7000 *Marylanders*, Washington City would not have been sacked, nor our country disgraced.

"If my arrangements shall permit, it is my intention to become a citizen of Kentucky—and when I die, I know that my bones will repose among congenial spirits."

TREASURY DEPARTMENT, *March 13th*, 1817.

Notice is hereby given, that funds have been assigned for the payment of such *treasury notes*, and the interest thereon, as are now due at the loan office in Boston, in the state of Massachusetts.

And the said *treasury notes* will accordingly be paid, upon the application of the holders thereof respectively, at the said loan office in Boston, at any time *prior to the 1st day of May*, 1817, after which day, interest will cease to be payable upon the said treasury notes.

WM. H. CRAWFORD, Secretary of the treasury.

NILES' WEEKLY REGISTER.

No. 4 of Vol. XII.] BALTIMORE, SATURDAY, MARCH 22, 1817. [WHOLE No. 290.

Hæc olim meminisse juvabit.—VIRGIL.

PRINTED AND PUBLISHED BY H. NILES, AT THE HEAD OF CHEAPSIDE, AT $5 PER ANNUM.

RELATIONS WITH SPAIN.—Though the documents belonging to our relations with Spain are not important, they possess a *character* that demands a record in the REGISTER—we have therefore used our small type for the purpose, and so arranged the matter as to be concluded in our next paper, in succession.

The tax-paying nation.

We do not pretend to say what will be the result of the *apparent* determination of the British people to extort a reform in parliament from their rulers. That body now is the most corrupt and corrupting body that ever assembled together; and, as *representatives of the people*, is calculated only to excite the contempt and hatred of every honest and reflecting mind, being a mere mockery and abuse of an inestimable principle. But we fear that the *bayonet* of the government will prove too strong for the *right* of the people; and that, if they will have *reform*, they must have *revolution*, also.

The English people have very recently made what is to them an astonishing discovery—wonderful to be told, they have found out that in their taxation is the real source of their distresses!—Now, this is not so strange as some may, at the first glance, believe it, if we recollect that, for many years past, poor *John Bull* has always been looking *abroad* instead of attending to his affairs at *home*. One while he was hugely tickled with the "Spanish patriots," the "Portuguese patriots" and other "patriots"—and, *Bonaparte*, the arch-devil, always occupied his attention. Then, after a while, came the affair of *Waterloo*, and John threw up his hat and thought that his troubles were at an end, though he smarted sorely for it, and saved himself only by accident, or treachery, from the most complete thrashing he ever received. But an increase of misery, instead of a relief from exaction, alone remained for *John*; and then his masters told him to never mind himself, but to look towards *Algiers* to see what a terrible beating old England would give the barbarians. This amused him a little, but he saw neither profit nor honor in that business; and, worn out by all sorts of means practised to keep him gaping *abroad*, he now seems resolved to look into matters at *home*. He may be deceived again; and my conclusion is, that if he keeps in his present mood (as it is represented to us in the newspapers) his drivers will commence a fight with somebody, and kill off two or three hundred thousand men—*just to divert him*. It is far better that England should be at war, than that the prince regent, and the royal dukes, and the like, should be compelled to earn their bread as *common* men.

The aggregate of the classes of productive laborers in the United States is much greater than it is in England, with her *millions* of paupers and placemen, and pensioners, including the army and navy, &c. Argue the matter in any way, the result must be, that on the quantity of *labor* performed rests the resources of nations at peace, and indeed, also, generally, if at war. It is the only certain source of national wealth—nations of *noblemen* could no more exist than nations of *fiddlers*. For of what use is 1000 acres of the richest land, if nobody works it? or of a million in capital unemployed?—neither the land nor the capital can be made useful to the possessor, but through labor; yet these are powerful auxiliaries, perhaps indispensable properties, to give fullness to its product. But labor is the first principle of wealth, and is the only thing on which we can make a calculation on an occasion like this.

It is my deliberate opinion, after a careful examination of the facts within my reach, that the aggregate of the *laboring classes* in the United States is, at least, one-fourth more numerous than it is in England. But it is, also, very true that the persons who form those classes with us do not so generally labor, nor labor so much, as they do in England, when there is *employment* for them; and, besides, they have a greater extension of labor-saving machinery, with a more complete economy in business, than we have—and, therefore, the probability is, that the British laborers may produce quite as much value, *per annum*, as the American, though the latter is so far the most numerous. It is, also, very certain, that British labor affords articles for export, after supplying the home demand, far more valuable than those that we have, to spare: this arises, chiefly, from two causes—1st. because the American laborer retains a much greater portion of his earnings for his own use; and, 2dly, because of the large amount bestowed on the clearing of *new* lands, in the building of *new* towns, and in accomplishing the thousands of things that belong to a *new* and vigorous country—and, as it is in these, perhaps, that labor is more productive of value than in any other way that it can be applied, to increase the real wealth of a nation, we have a decided advantage over British labor, which may be said, comparatively, to have no such employments. But, on the whole, we may reasonably conclude that the value produced by labor in the United States is, at least, equal to the value, so produced, in England—and we may say that there are six millions of the laboring classes in each country, for the sake of the calculations that follow, which is conceding a great deal.*

*Gross population of the United States, about,		9,000,000
Deduct—		
For persons out of business, living on rents, dividends, &c.	75,000	
Civil officers of every description, the army and navy, and all persons receiving support for services rendered to the public,	40,000	
Clergy, lawyers, physicians,	120,000	
Universities, colleges & schools,	600,000	
Paupers and beggars, subsisting on the public charity,	30,000	
		865,000
Productive classes,		8,135,000

☞ It must be observed that the *families*, the women and children, are included in these estimates, after the manner of that celebrated statistical writer, *Colquhoun*, whose statement, for England, is

After some rough calculations, I have concluded that the whole amount of taxes, assessments and duties, directly or indirectly paid by the people of the United States, for the *actual* support of their general and state governments, including county and township rates of every description, may be estimated at about or under twenty five millions of dollars per annum—this takes in the payments for *interest* of the national and state debts; and contains in it a surplus sufficient for the support of all the clergy, &c. Any that will take the trouble to examine this will discover that I have probably rated it high enough. The amount, supposing our *eight* millions of productive classes as being only equal to the *six* millions in England, and rating them as six millions, requires an annual contribution of *four dollars and fifteen cents* from each, to answer *all* the purposes of government—and allowing one of every five of these to be a male capable of earning a dollar a day, there is required of him a little more than *twenty days labor per annum.*

The expenditures of England (proper) may be thus roughly estimated—

For the payment of the *interest* of the national debt, civil list, army and navy, &c. &c.	£60,000,000
Poor rates	8,000,000
Tythes	5,000,000
County rates	5,000,000
	£78,000,000

I believe this is below the amount required. The last item is entirely a *guess.* The aggregate is three hundred and forty-six millions of dollars, per annum, or fifty-seven dollars sixty-seven cents for each person of the productive classes, or for every male, (as before, one in five of the whole population) *two hundred and eighty-eight days labor per annum,* at one dollar per day, without including the amount paid by dissenters for the support of their churches, &c.

It is admitted, as a fact, by ministerial writers in England, *that one half of the wages paid for labor is seized, in one way or another, by the government,* and from this statement, it appears undeniably that it must be so.

Let the American ponder on these things—and find in them new motives to love his country and guard its institutions.

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given below. The amounts are only *guessed* at; but, perhaps, they are not far from the truth—certainly not sufficiently so to affect a general result.

Gross population of England, including the army and navy in all parts of the world,		10,747,280
Deduct—		
Royalty, nobility and gentry,	416,000	
Civil officers, army, navy, half-pay and pensioners,	1,056,000	
Clergy, law, physic,	281,000	
Universities and schools,	567,937	
Paupers and beggars,	2,500,000	
		4,820,937
Productive classes,		5,926,343

These items are taken from Colquhoun, except in respect to the paupers—which *now* is, probably, under the real amount estimated, by at least half a million.

There ought, also, to be made a great deduction in the comparative amount of labor that the remaining classes can contribute, from the fact that the army and navy, in all parts of the world, employs about 200,000 *men.*

To the editor—"modern antiquities."

The following letter is from a gentleman of the society of Friends, or Quakers. Though we have no personal acquaintance with him, we have long been familiar with his excellent character. The facts stated are very interesting; especially as tending to establish the period when the calling of the yeas and nays in legislative bodies—(a very important measure, bringing the representative immediately to the view of the constituent) first begun. This has been considered an *American* practice; but when or where first used is not yet, perhaps, ascertained.

Respected citizen,

In the 10th vol. page 336, I observe the following—"about the year 1683, or 1684, the legislature of Pennsylvania passed a resolution, that no member thereof should come to the house barefoot, or eat his bread and cheese on the steps"—I know not where thee could have got the information, but believe it to be utterly false.* I have their votes and proceedings from the first to the revolutionary war, and know it is not to be found in them; nor is it probable that there were steps to the house—the rent of it annually was only £10—a rent for 24 members, very moderate even in those happy days of simplicity and frugality.

Members of assembly had at that time six shillings *per diem*—in 1683, the house met at 7 o'clock in the morning; in 1690, at 6 o'clock in the morning, all present, and in 1693, at 5 o'clock in the morning—if some of the information I give is not wanted, it can do no injury and will be cheap.†

In 1685, the first protest against the proceedings of the house, was entered on their votes, or journal.

In the same vol. I find that thee wishes to know, "when the practice of calling the yeas and nays in legislative bodies was first begun." In 1745, the legislature of Pennsylvania were requested to enter the yeas and nays on the votes of the house—the request, it appears, was not granted. In 1754, is found the first instance of entering the yeas and nays on the said votes or journals.

In 1722, paper money was first made in Pennsylvania, and agreed that it should be lent to the people in small sums at 5 per cent. interest, and repaid in installments—the interest accruing to the province; which almost supported the government.

The issuing of paper money was (under Providence) a greater benefit to the province than any other act or proceeding ever had in it. How different from the bank mania now so prevalent, and which will bring down ruin sooner or later.

I am pleased to find so useful a book as thy Register edited by a whig.

H. Niles, edt. Reg. Baltimore.

Manufactures.

Copy of a letter from the hon. Thomas R. Gold, a representative in congress from Oneida county, N. Y. to Charles Shaler, esq dated

Washington, Feb. 21, 1816.

Dear Sir—I have read with much satisfaction the Pittsburg report on the subject of manufactures.

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*I do not recollect where the article alluded to first appeared. It was copied from some other paper, after running through the United States uncontradicted; having been originally published as in apposition to some of the "blue laws" of the New-England states.

†The gentleman paid the postage of his letter. [Editor.

It discovers research; and that attention to the subject, for want of which, it has suffered much. Inveterate prejudice is to be conquered, and the merits of the question unfolded to the public eye; this being done, the contest is at an end.

It has been a settled course with Englishmen to hold up to America *bugbears to deter from manufacturing*. Her writers on political economy insist that industry should be left to its own course, and government take no part, while her legislators have swelled the statute book with regulations on trade. Those writers proclaim manufacturing destructive to the human constitution! while her historians and war annalists proclaim the British arms, notwithstanding all their manufactures, as invincible, as unpalsied by manufactures. In fine, Britain's creed is short: *to manufacture for the whole world and suffer no nation to manufacture for her;* and I am sorry to see too many Americans bending themselves to British policy. It is impossible to shut our eyes on the fact, and it is time for every friend to his country to rouse himself and diffuse an American spirit.

Would our own government do for manufactures one half Great Britain has done for hers, to raise them to the present pinacle, we might soon bid defiance to all the efforts to crush our establishments.

Based as our government is on popular feeling, I behold with pleasure that manufactures are becoming the people's cause, and I will never believe that the people will manifest less wisdom and attachment to manufactures than what we now witness in the continental kingdoms of Europe. Great as their obligations are to Great Britain, those governments are not disposed to sacrifice to English manufactures the interests of their own kingdoms.

I am, sir, very sincerely, yours.

BRIEF REMARK BY THE EDITOR.

The preceding is one of the most pithy and best pointed things we ever saw on the important subject to which it refers, and contains a volume for reflection. We trust that the cause of manufactures will be made the "people's cause"—for the *home feeling*, about which we have said so much, gathers strength every day; not only because it is right in itself; but also because every day furnishes some new inducement or *necessity* for it.

The "Pittsburg report" alluded to is a very able one in every respect. We have it on our files for publication, and it shall be inserted in the Register when we have furnished the public documents we believe it needful to publish.

Laws of the United States.

An act more effectually to preserve the neutral relations of the United States.

Be it enacted by the senate and house of representatives of the United States of America, in congress assembled, That if any person shall, within the limits of the United States, fit out and arm, or attempt to fit out and arm, or procure to be fitted out and armed, or shall knowingly be concerned in the furnishing, fitting out or arming of any such ship or vessel with intent that such ship shall be employed in the service of any foreign prince or state, or of any colony, district or people, to cruise or commit, hostilities, or to aid or co-operate in any warlike measure whatever against the subjects, citizens or property of any prince or state, or of any colony, district or people with whom the United States are at peace, every such person so offending shall, upon conviction, be adjudged guilty of a high misdemeanor, and shall be punished and imprisoned at the discretion of the court in which the conviction shall be had, so as the fine to be imposed, shall in no case, be more than ten thousand dollars, and the term of imprisonment shall not exceed ten years; and every such ship or vessel, with her tackle, apparel and furniture, together with all materials, arms, ammunition and stores, which may have been procured for the building and equipment thereof, shall be forfeited, one half to the use of any person who shall give information, and the other half to the use of the United States.

Sec. 2. *And be it further enacted,* That the owners of all armed ships, sailing out of the ports of the United States, and owned wholly or in part by citizens thereof, shall enter into bond to the United States, with sufficient sureties, prior to clearing out the same, in double the amount of the value of the vessel and cargo on board, including her armament, that the said ship or vessel shall not be employed by such owners, in cruising or committing hostilities or in aiding or co-operating in any warlike measure against the subjects, citizens or property of any prince or state, or of any colony, district or people with whom the United States are at peace.

Sec. 3. *And be it further enacted,* That the collectors of the customs be, and they are hereby respectively authorised and required to detain any vessel manifestly built for warlike purposes and about to depart from the United States, of which the cargo shall principally consist of arms and munitions of war, when the number of men shipped on board, or other circumstances, shall render it probable that such vessel is intended to be employed by the owner or owners to cruise or commit hostilities upon the subjects, citizens or property of any prince or state, or of any colony, district or people, with whom the United States are at peace, until the decision of the president be had thereupon, or until the owner enters into bond, and sureties to the United States, prior to clearing out the same, in double the amount of the value of the vessel and cargo on board, including her armament, that the said ship or vessel shall not be employed by the owner or owners, in cruising or committing hostilities, or aiding or co-operating in any warlike measure against the subjects, citizens or property of any prince or state, or of any colony, district or people, with whom the United States are at peace.

Sec. 4. *And be it further enacted,* That if any person shall within the territory or jurisdiction of the United States, increase or augment, or procure to be increased or augmented, or shall be knowingly concerned in increasing, or augmenting the force of any ship of war, cruiser, or other armed vessel, which at the time of her arrival within the United States, was a ship of war, cruiser, or armed vessel, in the service of a foreign prince, or state, or of any colony, district or people, or belonging to the subjects or citizens of any such prince, state, colony, district or people, the same being at war with any foreign prince or state, with whom the United States are at peace, by adding to the number or size of the guns of such vessels prepared for use, or by the addition thereto of any equipment, solely applicable to war, every such person, so offending, shall upon conviction be adjudged guilty of a misdemeanor, and shall be fined, and imprisoned at the discretion of the court in which the conviction shall be had, so as that such fines shall not exceed one thousand dollars, nor the term of imprisonment be more than one year,

Sec. 5. *And be it further enacted*, That this act shall continue in force for the term of two years.

H. CLAY,
Speaker of the house of representatives.
JOHN GAILLARD,
President of the senate, pro tempore.
March 3, 1817.—Approved,
JAMES MADISON.

An act concerning the navigation of the United States.

Be it enacted by the senate and house of representatives of the United States of America, in congress assembled, That after the thirtieth day of September next, no goods, wares, or merchandise shall be imported into the United States from any foreign port or place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens, or subjects, of that country of which the goods are the growth, production, or manufacture; or from which such goods, wares, or merchandise can only be, or most usually are, first shipped for transportation: *Provided, nevertheless*, That this regulation shall not extend to the vessels of any foreign nation which has not adopted, and which shall not adopt, a similar regulation.

Sec. 2. *And be it further enacted*, That all goods, wares, or merchandise, imported into the United States contrary to the true intent and meaning of this act, and the ship or vessel, wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such good, wares, or merchandise, ship, or vessel, and cargo, shall be liable to be seized, prosecuted, and condemned, in like manner, and under the same regulations, restrictions and provisions, as have been heretofore established for the recovery, collection, distribution and remission of forfeitures to the United States by the several revenue laws.

Sec. 3. *And be it further enacted*, That after the thirtieth day of September next, the bounties and allowance now granted by law to the owners of boats or vessels, engaged in the fisheries, shall be paid only on boats or vessels, the officers and at least three fourths of the crews of which shall be proved to the satisfaction of the collector of the district where such boat or vessel shall belong, to be citizens of the United States, or persons not the subjects of any foreign prince or state.

Sec. 4. *And be it further enacted*, That no goods, wares, or merchandise, shall be imported, under penalty of forfeiture thereof, from one port of the United States to another port of the United States, in a vessel belonging wholly or in part to a subject of any foreign power; but this clause shall not be construed to prohibit the sailing of any foreign vessel from one to another port of the United States, provided no goods, wares, or merchandise, other than those imported in such vessel from some foreign port, and which shall not have been unladen, shall be carried from one port or place to another in the United States.

Sec. 5. *And be it further enacted*, That after the thirtieth day of September next, there shall be paid a duty of fifty cents per ton upon every ship or vessel of the United States which shall be entered in a district in one state, from a district in another state, except it be an adjoining state on the sea coast, or on a navigable river or lake, and except also it be a coasting vessel going from Long Island, in the state of New York, to the state of Rhode Island or from the state of Rhode Island, to the said Long Island, having on board goods, wares, and merchandise, taken in one state, to be delivered in another state: *Provided*, That it shall not be paid, on any ship or vessel having a licence to trade between the different districts of the United States, or to carry on the bank or whale fisheries more than once a year: *And provided also*, That if the owner of any such vessel or his agent, shall prove to the satisfaction of the collector, that three fourths at least of the crew thereof are American citizens, or persons not the subjects of any foreign prince or state, the duty to be paid in such case shall be only at the rate of six cents per ton; but nothing in this section shall be construed to repeal or affect an exemption from tonnage duty given by the eighth section of the act, entitled "An act to provide for the establishment of certain districts," and therein to amend an act entitled "An act to regulate the collection of duties on imports and tonnage, and for other purposes."

Sec. 6. *And be it further enacted*, That after the thirtieth day of September next, there shall be paid upon every ship or vessel of the United States, which shall be entered in the United States, from any foreign port or place, unless the officers and at least two thirds of the crew thereof shall be proved citizens of the United States, or persons not the subjects of any foreign prince or state, to the satisfaction of the collector, fifty cents per ton: *And provided also*, That this section shall not extend to ships or vessels of the United States, which are now on foreign voyages, or which may depart from the United States, prior to the first day of May next, until after their return to some port of the United States.

Sec. 7. *And be it further enacted*, That the several bounties or remissions, or abatements of duty allowed by this act, in the case of a vessels having a certain proportion of seamen, who are American citizens, or persons not the subjects of any foreign power, shall be allowed only in the case of vessels having such proportion of American seamen during their whole voyage, unless in case of sickness, death or desertion, or where the whole or part of the crew shall have been taken prisoners in the voyage.

H. CLAY
Speaker of the house of representatives
JOHN GAILLARD,
President of the senate pro tempore.
March 1, 1817.—Approved,
JAMES MADISON.

Legislature of Ohio.

GOVERNOR'S MESSAGE.

[Accidentally omitted, heretofore]

Gentlemen of the senate, and house of representatives,

It will no doubt be highly gratifying to you, that your first meeting at the permanent seat of government, under the dispensation of a Divine providence, should be attended with many favorable circumstances. With a few exceptions the whole world is now freed from the turmoil and desolation of war, and restored to a state of tranquility and comfort; and even where war does exist, we find a people strugling to establish that independence and liberty, which our forefathers, after similar efforts, established in this our happy country.

As neighbors, inhabiting the same continent, entitled by every principle of justice to self government, the people of South America merit our best wishes.

Our country generally, but particularly the state of Ohio, has been highly favoured.

We have been blessed with health; and although the season appeared more unpromising than any before experienced, yet the earth brought forth her

fruits in abundance, not only for our own supply, but enough for the immense increase of population, and even a large excess for exportation. These, with many other blessings which we enjoy in an eminent degree give that Almighty Being from whom they all proceed, the highest claim to our most sincere and thankful acknowledgments.

Ohio posesses advantages that will, by the application of proper means, enable it to become a great agricultural and manufacturing state; and from the excellence of its soil and climate, perhaps no tract of country of the same extent on the globe is capable of supporting a greater population. This is now increasing beyond any former example, and no doubt at this time exceeds half a million.

Such gentlemen, is the country, and its growing population which you now represent, and whose present prosperity and future destinies are measurable committed to your care and guidance.

The stations which have been assigned to you, gentlemen, are no less responsible than honorable. A wide field is open for the exercise of the talents, patriotism, and industry which will be found in your honorable body, and the present state of the country will claim your particular attention. The immence importation and consequent consumption of articles of foreign manufacture since the war, with other causes connected with the suspention of specie payments and the restrictive system adopted by the banking institutions; the disadvantages in the course of exchange with the Atlantic states; and the uncertainty of the paper currency of the country, have, altogether, produced a scarcity of circulating medium, a state of embarrassment, inconvenience, and loss to the country seldom experienced.

Most of these evils will be done away by the adoption of economy and industry on the part of the community at large, aided by such wise legislative regulations as you, gentlemen, coming from every part of the state, with an intimate knowledge of the wants and interests of your constituents, may think proper to adopt.

Among the objects which claim your particular attention, are the public schools and the means of improving the mind of the rising generation, the navigable rivers and the public roads of the state.

The opportunity of acquiring an education in Ohio, has hitherto been confined to the few; and as a general dissemination of learning necessarily conduces to the improvement of morals and behavior, whilst, in effect, it gives to the people a more extensive knowledge of their rights, it becomes the legislature of a free state to adopt measures coextensive with their means to accomplish these objects.

The navigable rivers and public roads, as the means of conveying the surplus produce of the country to market, are of the first importance to the state. Notwithstanding the great fertility of our soil, if the surplus produced from it, beyond our own consumption, does not command a price sufficient to reward the husbandman, the spring to industry is in a great measure destroyed.

Ohio abounds in beautiful and useful navigable rivers; these, however, require artificial aid to render their navigation safe; besides, many of them are almost entirely obstructed by mill-dams, which, under proper regulations, and with efficient locks and slopes, might facilitate the navigation, but, without, may be strictly considered public nuisances.

I recommend to your consideration the propriety of levying such a tax on the lands of the countries through which the several navigable streams pass as will be sufficient to render the navigation of them more safe and certain, and that the same be expended under the authority of a board of commissioners appointed for that purpose, or such other authority as you may deem politic and proper.

The great advantages derived by the community at large from good roads, is self-evident. They promote convenience and facilitate intercourse; they give an additional value to the adjacent lands, and at all times increase the wealth of the country.

In proportion to the fertility of soil, is the difficulty generally of improving the roads, especially if the country be level. A great proportion of this state is thus situated, and hence much more labor is required in keeping the roads in repair, than where the ground is more uneven and less fertile.

It is evident, from past experience, that the present system for making and improving the roads, is defective, and does not produce that result which the best interests of the state require. The advantage to the landholder, through or near whose land a good road passes, greatly exceeds the inconsiderable sum required of him in taxes. I therefore recommend to your consideration a revision of the present road laws, and that such a system of taxation be adopted as will best suit the different parts of the state, and which, together with such proportion of personal labor as may be deemed necessary, will put and keep the roads in best repair.

The manner of expending the three per cent. on the net proceeds of the sale of public lands in Ohio, seems to be universally condemned; and experience has proved to every reflecting mind, that a better disposition may be made of it. Firmly persuaded of this, I again recommend to the consideration of the legislature the propriety of confining its expenditure to the leading roads of the state, and, for that purpose, recommend the incorporation of companies, authorised to make permanent roads in such directions through the state, as will best promote the general interest thereof; and that the legislature take, for the benefit of the state, such proportion of the capital stock as may be deemed proper to be paid out of the three per cent. fund; always applying the proceeds of such stock in like manner.

I am persuaded, gentlemen, that at a time so favorable as the present, the internal improvement of the state, generally, will receive your particular attention. The amount received from the people in taxes, properly applied in this way, is returned to them with a compound interest, and their good sense will always lead them to approve such a course. It is the improper application or waste, by false economy, of public monies, of which the people have a right to complain. It is mistaken economy to refrain from taxing the community, when these taxes can be applied in the most profitable manner to their advantage. Under these considerations, I recommend to your consideration the propriety of continuing the present rate of taxation on lands, even if the direct tax of the United States should be discontinued, and that the surplus of the revenue, beyond the ordinary expence of the government, be applied towards making such substantial and permanent improvements as the legislature shall direct.

The people of Indiana have formed a constitution, and become a sovereign independent state, and no doubt will be firm supporters of the rights, liberties, and union of the general government.—The constitution they have adopted in most of its provisions is very similar to our own, and I fee

highly gratified that they have in the most unqualified manner prohibited slavery. From a similiarity in our civil institutions, soil and climate, our habits, manners and customs will be nearly the same, which affords the best security for the most lasting harmony, between the two states.

The beauty and advantage of the site fixed on as the permanent seat of government of the state are more apparent as it progresses in improvement. You may for the present be subjected to some inconveniences, but from the fertility of the surrounding country and the extraordinary improvements made since its establishment, there is every reason to expect that in a short time the growth of the town will remedy these inconveniences.

Having set that example of piety to God, integrity, industry, harmony and economy in discharge of the important duties committed to you, which your fellow citizens have a right to expect and your stations in society require at your hands, and having implored the blessings of that Almighty Being who governs the universe, on the result of your labours, you will return to your homes; with the pleasing reflection of having used all the means in your power to promote the best interests of your constituents, and will carry with you the highest claims to their approbation.

I sincerely hope that this your first session at the permanent seat of government may be attended with the most beneficial consequences to the good people of the state, and be held up as an example worthy the imitation of future legislatures. It will afford me the most sincere pleasure to co-operate with you in every measure tending to promote the welfare and happiness of the inhabitants of the state.

T. WORTHINGTON.

COLUMBUS, DEC. 3, 1816.

Legislature of Virginia.

The following address to the president of the United States passed the house of delegates on the day of its date, 90 to 19, and was unanimously concurred in by the senate.

To James Madison, president of the United States.

RICHMOND, (Va.) Feb. 21, 1817.

SIR,—At the moment when you are about to lay down the power with which the voluntary suffrages of an enlightened country have invested you, and to retire to that peaceful calm, which your devotion to the public service has hitherto denied you, the general assembly of Virginia cannot forbear to tender you in behalf of the good people of your native state, a brief expression of their esteem, their confidence, and their cordial wishes for your future happiness.

The present prosperous condition of the American republic, sheds a greater lustre on your administration, from the difficulties and embarrassments which encountered you at the outset, and which pertinaciously attended you through the greater part of the same eventful period. When you entered on the duties of your high office, you found the two great rival powers of Europe in their unprincipled efforts at mutual annoyance, trampling on our dearest principles and violating our most indisputable rights. The policy which we adopted in preference to war, for which we were so ill prepared, and by which we must so greatly suffer, though it inflicted some punishment on our adversaries, did, also of necessity, inflict the severest sufferings on ourselves: And when at length the utmost point of forbearance was reached, and your countrymen indignantly appealed to arms, they encountered, without an ally or auxiliary, the nation of all others, to whose power they were most vulnerable.

The glorious events of that conflict are fresh in the minds, and deep in the hearts of all. Whatever may be the difference of opinion on the policy of war—however humanity and patriotism may deplore some of its disasters, every candid mind must admit that it affords abundant cause of national joy and exultation. It has taught us many valuable lessons in the science of government, by observation and experience, the only sure tests of political theory. It has proved to a doubting world that this confederation of republics, cemented only by the ties of love and common interest, can stand the rude shock of war—of war, too, made against the consent of a numerous, a zealous, and a compact minority. It has called forth a fervor of patriotism, which is at once the surest proof of the beneficence of our government and the best guard of its safety. The achievments of your gallant countrymen, by land and on the ocean, will make your administration a proud era in the annals of these states. They have given us our proper rank and character among the nations of the earth; have covered the American name with the glory of such solidity, that the passing current of time will but serve to increase its brightness.

The storm has passed away, and we are left with a serener sky and a purer atmosphere, to grow, to improve, to cherish those arts, which can give comfort or embellishment to human life—and to enjoy, under the favor of heaven, the noble fruits of that government, which your wisdom contributed to form, your eloquence recommended to the confidence of your countrymen, and which your integrity and talents have so often, and so signally aided in carrying into successful operation.

In a few days, you, sir, like ourselves, will have surrendered up the power which has been entrusted to you, and return to the station of a private citizen. In that station, your example will still teach a most salutary lesson to your country; and as your exaltation to the chair of state, has shewn that genius and talents, and virtue, are not the less appreciated for the veil which modesty has thrown around them, so it will be found that when divested of the splendor and power of office, you will continue to enjoy that richest reward of every generous mind, the affections and applause of a just and grateful people. Partaking of these sentiments in common with those we represent, in the honest language of truth, we tender you our thanks for your long and faithful services, our admiration of your talents, our confidence in your integrity and devotion to the national welfare, and our ardent wish, that still illumining the public mind with the lights of your wisdom and experience, you may in health and happiness live many years an ornament and benefactor of your country.

Resolved by the general assembly of Virginia, That the governor of this commonwealth be requested to transmit, on behalf of the said general assembly, a copy of the preceding address to James Madison, the president of the United States.

On Indian Affairs.

A letter addressed to the committee appointed on so much of the president's message, as relates to Indian affairs, by the superintendent of Indian trade.

Office of the Indian Trade, Georgetown, Dec. 14, 1816.

SIR.—I have had the honor of receiving your let-

ter of yesterday, wherein, "according to the instructions given you by the committee to whom was referred so much of the president's message as relates to the amelioration of the condition of the Indian tribes, you call upon me for any information that I may possess, in relation to the particular situations; and for a plan, if any has been thought of, best calculated to effect the humane object recommended to congress."

I have the honor to state, in reply, that, so far as I have been able during the short period of my superintendence of this department, to gather information respecting the particular situation of the Aborigines of our country, it appears to me, to remain nearly the same with that of the former periods of their history, excepting those tribes that inhabit the portions of country bordering on our frontier settlements and those that have for a longer period been engaged in commerce with the United States' trading houses.

The same devotion to the chace, and all those irregular habits, which from the beginning characterised the sons of our forests, yet predominate—Still, however, there is no evidence of the existence of any principles in their nature, that might not be corrected by an enlarged and liberal policy, and this opinion is founded in the exception already taken to those tribes, who, from their proximity to the settlements of the whites, have learned those lessons which form the elements of a transition from a savage, to a civilized state. Those Creeks for example, who reside on Cha-ta-how-chee, near fort Mitchill, and eastward to Flint river, cultivate the soil with considerable success; and many of them are clad in cloth, manufactured by themselves.—The same may be said of the Cherokees and Chickasaws. Those of the Chawanoes and Delaware tribes that resort to St. Louis to trade are mostly attired as we are; and by their conduct and manner of transacting business, furnish satisfactory evidence, as well in behalf of their tractableness, under even this sort of initiatory discipline as of their capacity for the pursuits of civil life. But in all cases of advancement, whether it relates to the cultivation of the soil, or to manufacturing, we may trace their contiguity to, and intercourse with the whites.

The benevolent policy which organized this department, through which articles of the first necessity are sent to the Indian tribes, so far at least as they are embraced by the number of trading houses now established, and which are furnished to them in their own country, at an advance on their original cost, sufficient only to cover the expence of transportation: and given at those rates in exchange for their furs, and peltries, and whatever else of a merchantable nature they have to dispose of, and for which a fair valuation is allowed, although it may not have produced a change, to an extent as great as might have been expected as it respects their *manner* of life, yet it is manifest that greater benefits would have resulted to them from this policy even in this view of the subject, but for the countervailing influence of avaricious traders, whose object is gain, and with many the means of acquiring it are perfectly indifferent. Those men, aware of the propensity of the Indians, make the intoxicating beverage a leading article in the supplies, by which the Indian is first debauched, and then plundered, or if the traders offer payment at all, it is at such rates as they shall fix; and then it is often made in spurious money, nor is it unusual for the respectable and sober Indians to be defrauded by their having passed upon them for genuine, that which is counterfeit paper. One of the respectable delegates from the Creek nation, now here, showed me a parcel of this counterfeit paper money, a few days ago, which he had received as genuine.

I have referred to these impositions, hoping that suitable checks may be devised, which shall lessen, if they do not destroy, the almost boundless extent to which they are now carried. They are called for, as well to secure the Indians in the enjoyment of their rights, as to allay the vengeance which this system of fraud cannot but excite in them against even the likeness of their despoilers.

Well organized agencies, and trading houses, appear to me to be amongst the best means for the management of the Indian tribes, whether in peace or war; and if those which have heretofore been established, and those which are now in actual operation, have not produced, and do not produce a more visible alteration in their *manner* of life; and if the trap and the spear are not yet exchanged more generally for the hoe and the plough: yet I am not prepared to admit that this is owing to any radical defect in the system itself, but rather to the checks that have retarded the activity of its effects; to a want of its enlargement; and to the omission of what I conceive to be an important auxiliary, and which I will presently refer to.

It must be admitted, that if the policy pursued by the government have not produced marks of a more civilized character (and it has not been entirely without success in that point of view) it has subserved the great principles of *humanity* and *justice*. Without its interference, and aid, articles of the first necessity must have been dispensed with by those indians who have been served with them. Or, possessed by them at all, they must have been procured under circumstances of the most oppressive character, and which would certainly exist, were the aborigines dependent for their supplies, upon the unchecked avarice of private traders. Nor is this all—the respectability and intellgence of the agents and factors; their attachment to our government and country; and the interest they take in whatever tends to the security of our frontier citizens, all serve to breath an influence, which, when exercised in the indian settlements, counteracts much of the evil that would otherwise result, as well from the excitements occasioned by the conduct of private traders, as from the machinations of disaffected and designing men. The very calling of a factor is conciliatory in its tendency—and the representations of agents are often required to cool the inflamable materials, thrown in amongst the indians, whether by accident or design. United they cannot fail to promote those friendly relations which it is so desirable should be kept up with our border neighbors

This view of the subject is sustained by the pacific disposition manifested among those tribes that have a more constant intercourse with the whites and with the factories, above that which exists among those whose settlements are beyond the reach of this influence.

From this it may be inferred, that to increase the number of agencies and factories, by extending them farther to the north, and to the west, would be to promote these pacific dispositions, and serve the great object of humanity.

I would recommend therefore, as a part of a plan which is in my opinion well "calculated to effect the humane objects recommended to congress," an increase of the number of factories, which, in proportion to the extent that it may be tho't proper to carry them, will require a correspondent appro

priation—the capital now employed being only sufficient to sustain the trade already established.

For a detailed account of the forms, including the mode of accounting at this office; a state of its funds, and for the principles in general which govern it, I beg leave to refer you to a report made to the honorable the secretary of war by my predecessor, and which accompanied that gentleman's able exposition of Indian affairs, to the United States' senate at its last session.

The funds remain, in amount, much the same as they were at that time—they will vary in their results, when these shall be known only as the prices which I may be able to obtain for the furs, and peltries, &c may be more or less, than the cost of merchandize given in exchange for them since that period.

The factories at that time were eight in number—they remain so now, and all except two are on the same scites—That at Natchitoches has been removed nine miles above that post, on Red river, and that at fort Micthell, on the Cha-ta-how-chee river, and in the midst of the Coweta and Cussetah towns, immediately at the intersection of the two leading roads to the southern territory.

At present they stand thus:

1st. Fort Micthill—Georgia.

2d. Chickasaw—At the Chickasaw Bluffs, Mississippi territory.

3d. Fort Confederation—on the Tombigbee river

4th. Fort Osage—on the Missouri, near the mouth of Osage river.

5th. Prairie du Chien—on the Missisippi, near the mouth of the Ouisconsin river.

6th. Late at Natchitoches—now nine miles above that village—scite not named.

7th. Green bay—Green bay of lake Michigan.

8th. Chicago—lake Michigan.

The great ability displayed in the report of the late secretary of war, as above referred to, supercedes the necessity of my detaining you with a detailed plan for the amelioration of the condition of the Indian tribes. I cannot forbear however, according to my purpose, heretofore expressed, to suggest, in addition to the views taken by that gentleman, the advantages that would in my opinion result from the establishment of public schools in the Indian settlements. However ineffectual this means of instruction might be, in its operation on the adult Indians, the rising generations would insensibly imbibe from such a scource of improvement, and transmit them to their successors, those ingredients without which it seems impossible, with any thing like human exertion, to teach them a knowledge of or make them familiar with (at least in any reasonable time) the excellent principles of our government; the ties which unite and bind society together, with the great advantages of that state over that of the savage, or impress them with the importance of the observance of those great moral lessons, in the practice of which results so much security and happiness to man. To impart a knowledge of those principles to the aboriginies of our country, would be an advantage to the United States, exceeded only by that which would result to them. Out of these elements a foundation might be prepared on which to place the great axiom of human happiness. Make a path in the desert by the agency of schools of instruction and the holy doctrine—"*as ye would that man should do unto you, do ye even so to them*," will soon follow and consequences, similar to those which this kind of teaching has produced in all those parts of the known world where the elements for its admission have been prepared, might reasonably be expected to flow to the nations of our forests—unless indeed they are made of materials different from those, out of which it has pleased God to construct the rest of the human family.

If this auxiliary be adopted and I recommend it with a full conviction of its success, I would respectfully suggest that the *Lancasterian mode* of instructed be adopted, as well on account of its simplicity, as its economy. Universal experience having proved the superior facility with which it communicates the first principles of learning.

The present appears to be a time peculiary favorable for a generous exertion in behalf of the Aborigines of our country. The war spirit slumbers, and the peacefulness of the calm prevades even our forests. But amidst this scene of general tranquility—and which the citizens of America enjoy with such peculiar fecility, how comfortless remains the condition, and how cheerless the anticipations of those unfortunate people! Pained at the recollection of the past; disheartened at the prospect of the future; shut out by a destiny which they had no hand in creating, from all that is deemed great and good amongst men, they feel themselves yet wrapped in the gloom of their native forests, and are left to mourn over the severity of their fate!

What consolation would mingle with the cup of their bitterness, were they roused from this distressing reverie, to witness a display of an enlargened and liberal policy, ordained in their behalf! Hope, that never failing friend to man, however rayless it has been to them for the past, would lighten up their prospects for the future; and if any thing could vie with the pleasure it would impart to them, it would be the gratifying reflections of those who might contribute to the relief of so much wretchedness.

I have the honor to be, &c.

THO. L. M' KENNEY,
S. I. Trade.

We are authorised to state, that a bill upon liberal principles, was presented by the committee to the house, but, owing to the press of business at the close of the session, it could not be finally acted on.

Foreign Articles.

ENGLAND, &c.

Meetings are holding throughout the three kingdoms in favor of parliamentary reform. The ministry, expecting a severe opposition at the ensuing session of parliament, have issued circulars to all *their* members, ordering their attendance!

The fog was so thick in London, on the *eighth of January*, for several hours, that all the shops were lighted as in the night. It was a day of darkness and mourning, for the battle of Orleans.

The public meetings of the people at Bristol, Bath, &c. held to petition for a reform of parliament, were attended by large bodies of troops under arms—and besides, all the "loyal" were sworn in as special constables!—What a state of things is this!

The prince regent of England has directed, that in future, all the vessels in the navy shall be distinguished by the number of guns and carronades they actually mount, and not according to the erroneous denominations which had long ago grown into use.

The Waterloo subscription now amounts to about £415,000. It is expected that this sum will be further increased.

The Cornish miners are represented to be in the most deplorable condition.

The poor-tax in Birmingham averages 6*l.* for every house—of 18,000 houses 1,500 are uninhabited.

Dublin.—The population of Dublin is estimated at 200,000 souls. It has been ascertained that no less than 74,000 of these are "*absolute beggars*, living upon the bounty of the charitable." These facts are stated in a late public speech, at a meeting in that city, about the poor—and the speaker adds—"If the eye is directed to other parts of the kingdom, a similar, and perhaps worse, condition of things, will be seen. Nor is distress confined to those who are called the lower order. There is nothing now so common in our streets, as persons begging, whom the highest amongst us, would not, at one time, be ashamed to recognize as acquaintances and friends."

Since the 4th of June, 1814, the British army has lost, in the field, or by natural deaths, no fewer than sixty-three general officers—viz.

GENERALS.

William, lord Howe,	James Stewart,
Wm. marquis of Lothian,	John White,
Hon. Wm Gordon,	Wm. Macarmick,
Robert Prescott,	James Stewart,
Hon. Wm. Hervey,	Alexander Mercer,
Thomas Bland,	Colin M'Kenzie,
Watson Powell,	John Dickson,
Charles Leigh,	Miles Stavely,
T. Stanwix,	Thomas Murray,
Grice Blackney,	Hon. H. A. Bennet.

LIEUTENANT-GENERALS.

Lord Seaworth,	Robert Lawson,
Hon. sir B. Henniker,	Andrew Gammell,
Sir John Stewart,	Sir Thomas Picton,
George Fead,	Edward Stevens,
Forbes Champagne,	Walter Cliff,
Sir George Prevost,	Robert Bereton,
William Johnstone,	W. P. Ackland,
J. Levison Gower,	John Santag,
John Eveleagh,	Sir James Leith.

MAJOR-GENERALS.

Andrew Burn,	John Brown,
Benjamin Fisher,	John Picton,
Thomas Nepean,	William M'Caskill,
Sir Charles Shipley,	John Craugy,
Sir Thomas Dunbar,	Thomas Erlington,
Eneas Shaw,	Robert Ross,
Trevor Hull,	Adam Gordon,
Flowers Spraule,	Robert Young,
Sir Edward Packenham,	Lord Molesworth,
Roilo Geilespic,	Samuel Gibbs,
James Baird,	M. E. Jacob,
Oliver Jones,	Jeffery Amherst.
Hon. Wm. Ponsonby,	

In the London papers there is an interesting article on the banking system of England—At the beginning of the year 1810, there were 700 country banks, which gradually increased to nearly 900—The issues of the private banks since 1797, have contributed an addition to the national currency of about 20 millions sterling—The total currency in the year 1812, was estimated as follows, viz.

Bank of England notes in circulation,	£25,500,000
Issues of 300 private banks, at £50,000 each,	15,000,000
Issues of 500 at 40,000,	20,000,000
Gold and silver,	4,000,000
	£62,500,000

Thus, in the year 1812, the circulating medium of England amounted to the enormous sum of above 250 millions of dollars!

The bank of England has advertised to pay specie or new bills for all bills of one or two pounds, issued before 1812. It had out 950,000*l.* in these bills—yet, in several weeks, only 150*l.* have been brought in for specie, and 50,000 for new bills—the rest out.

FRANCE, &c.

The French consul at Boston gives notice, that no individual, whether a Frenchman or of any other nation, will be permitted to land in France unless he has a passport, either given or countersigned by a French minister or consul!

The king has issued a decree authorising a loan of 100 millions of dollars.

The report that the allied armies in France was to be reduced is not confirmed. Indeed, it appears most likely that they may rather be increased.

The object of the duke of Wellington's journey to England is said to have been to represent that the situation of the Bourbons was more critical than ever. It appears that the British government have been compelled to resort to brokers to obtain specie for the payment of their own troops in France, which are said to be in the finest order.

More than sixty merchants, of Marseilles, have petitioned the French legislature for the repeal of the law which declares that city a free port.

The court of France have made a definitive arrangement with the city of Hamburg, in relation to the bank subject.

The population of France is officially reported to be 28,813,041 souls, exclusive of Corsica, and the colonies.

The cotton manufacturers in France have published a memoir addressed to the king and the legislature, in favor of the continued prohibition of foreign manufactures. [But it is said, that one of the conditions of the loan, lately negociated in England, is—that the French ports shall be opened for the introduction of "certain British commodities"—the king may "buy gold too dear."]

NETHERLANDS.

A new tariff was put into actual operation at Brussels *before* its publication, to the great dissatisfaction of the people.

NORTHERN EUROPE.

There are 1100 students in the university of Gottingen, many of whom are said to be Americans.

Emigrations from Switzerland for the U. States have re-commenced.

A ship of the line, larger than any belonging to the Swedish navy, is about to be launched at Carlscrone. The navy will then consist of 11 ships of the line, in the best state, besides frigates, &c.

An insurrection of the peasants in Norway is spoken of.

Stutgard, December 28.—The Wirtemberg army is to be reduced so as not to exceed 20,000 men. The king has ordered, that in all representations and petitions addressed to him, the use of all French and Latin expressions shall be avoided, and pure high German alone employed.

RUSSIA.

It is perfectly understood that any difficulties that existed between the United States and Russia, through a misrepresentation of facts, are entirely removed. It is reported, also, that the minister, Mr *Daschkoff*, is recalled to account for his conduct.

A sum equal to nearly 50,000£ sterling has been subscribed in Russia for the relief of the poor.

St. Petersburg, Sept. 10.—The *Northern Post** in its remarks on the question now discussed so generally, respecting the inadmissibility, or admissibility of the *liberty of the press*, distinguishes three parties.

*The Northern Post, or the New Petersburg Journal, has since 1809, been published twice a week by the ministry of the interior. It is written in the Russian language.

One of these parties affirm, that the *liberty of the press is the shield of national freedom*, the *security of the citizens*, and the *strength* of the *government*.

Another again maintains that *liberty is more destructive to every country than the plague*.

And a third, that the liberty of the press is *certainly of use*, but under a light censure.

As to this third opinion, says the *Northern Post*, it has already been set at rest by Figaro, who says, "if in my writings I only do not meddle with *religion*, nor *politics*, nor *morals*, nor say any thing of *persons in office* or *distinguished bodies*, or of the *opera*, or of *any play*, in short, if I say nothing *respecting something;* then I may be allowed to express my opinions *freely*, under the *superintendance of two or three discreet persons!* In order that I may avail myself of this agreeable freedom, I have determined to publish a periodical work under the title of the "*Useless Journal.*"

ITALY.

"The English are fortifying *Genoa*, and seem to intend to render it a second Gibraltar," says a late Paris paper. We did not know that Genoa was an English port.

It is said that several Italian state prisoners will be allowed to proceed to America.

It is reported that Mr Pinkney has made a commercial treaty with the pope; and that an American consul is to reside at Ancona.

SPAIN.

It appears that Mr. Meade is yet confined in the dungeons of Cadiz.

The patriot privateers vex the whole coasts of Spain. They have captured some very rich ships from *Lima*.

Gen. *Castanos* is a sort of prisoner at large, at Seville.

AFRICA.

The trade for slaves, notwithstanding it is prohibited by most nations, and vigilantly guarded against by the British cruisers, is still prosecuted to a very considerable extent.

Certain Barbary cruisers have lately appeared off Naples. The Algerine fleet is already said to consist of three vessels from 24 to 30 guns, and 12 gun boats, completely manned and armed.

"SPANISH AMERICA."

It is said that several vessels of war and transports, with 2500 men, have sailed from Cadiz for Vera Cruz.

We have a report that Monte Video has been captured by the Portuguese without opposition, and without any interference on the part of the Buenos Ayreans, with whom the people of the former never had fully united.

The royal general, Morillo, is reported to have 9000 men at Varinas.

The patriot privateers swarm through all the West Indies, and blockade Cadiz, &c. Many valuable captures are made by them.

General Mina is in Mexico—letters from Matagorda speak very favorably of his progress so far, and the writer of one of them says, he hopes soon to write from the capital of the country, after having fixed the standard of liberty on every house of that populous and wealthy city.

Admiral Brown has threatened the British with reprisals from the Buenos Ayrean government, for the condemnation of his vessel.

HAYTI.

King Henry is much engaged to give a good education to his people. He has established schools on the Lancastrian plan, and has founded a college—all which are supported with distinguished liberality. He has ordered that the children should be instructed in the *English* language, with a view to prevent the intrigues of the *French* to recover the country; against whom he expresses the most determined opposition. He repels the idea that his countrymen are naturally subordinate, and maintains that by education they may be rendered equal to any others. He appears to enjoy his throne with quiet and security, and to possess the confidence and esteem of the people at large.

Petion's squadron, consisting of a ship of 24 guns, a brig of 14 and a schooner, is said to have put to sea to meet Christophe's frigate and brig.

BRITISH AMERICA.

A Montreal paper calls the United States the "natural enemy" of England. Some emigrants, that lately arrived at Pictou (N. S.) brought with them buckets and pails to milk the wild cows that they understood inhabited the country!

The following ships have been commissioned upon the lakes of Canada:—Kingston, 56, commodore sir Robert Hall; Burlington, 42, capt. N. Lockyer; Charwell, 50, captain Montresor, on lake Ontario; Champlain, 32, captain Duell, on lake Champlain; Confiance, 32, captain D. Pring, on lake Erie.

Loss of the Chippewa.

Copy of a letter from captain George C. Read, to the secretary of the navy, dated

NEW-YORK, Jan. 16th, 1817.

SIR—In conformity to your orders of the 6th November, I left Boston on the 27th of that month, to proceed to the bay of Mexico, and on the 12th December, at half past 2 P. M. intending to take the Caycos passage, made one of the Islands by the same name, bearing S. S. W. Upon discovering the land, I immediately hauled up for it, in order to ascertain what part of this group it was, being under the impression, as well from its appearance, as from the latitude and supposed longitude, it might be the N. W. extremity.

At 15 minutes past 4 P. M. having approached within nine miles, as I judged, of the shore, and having satisfied myself it was the north or middle Caycos, bore up W. S. W. no land to the westward, at this time, being visible.

The best chart on board represented the north and N. W. shores perfectly clear of all impediments, and the course I was then steering as not only safe, but one tending to draw off from the land. At half past 5, night coming on, the bearings of the eastern and western extremities of the land were taken, made the middle Caycos bear east and the north west point, which was plain in sight, S. W. each distant ten miles. To be certain, however, that the land which we took for the N. W. point, was the most western land in sight, I directed the master to go aloft, who, on getting there, reported in the affirmative. Under these circumstances, with a chart on which no danger was delineated; steering a course upon which I had no accident to apprehend; with the point, round which I wished to double, distinctly in view, I could not feel otherwise, than in possession of the fullest confidence.

At 35 minutes past six, having ran eight and a half miles, I deemed myself abreast of the above point, with an offing of at least ten miles, and directed the brig hauled up one point on S. W. by W. My hauling up sooner than may by considered prudent, (which quite as unfortunately as unexpectly proved so) was dictated by the apprehension of getting too far to the westward, thereby rendering it difficult to lie through the passage,

on account of the trade winds at this season of the year, inclining much to the southward.

At 10 minutes past 7, whilst steering the latter course, heard the noise of breakers on the larboard beam, when the helm was ordered up, but scarcely had the order been issued when she struck with much violence upon a rocky bottom. In this situation, without being immediately able to discover the shore; or to form the most distant idea of the position of our danger, the sails were trimmed, the hands set to lighten the ship, and an exertion made to force her off with her head to the northward and westward. This effort, at first, wore a favorable aspect, and I felt sanguine in being able to extricate her in a few minutes; but, after having forced ahead some fathoms, she was again brought up with redoubled violence, and lost the use of her rudder. The boats were now got out, and an anchor carried and let go in an easterly direction The sails were furled, and with as much expedition as possible we commenced heaving, and again lighting ship. About this time, a boat which I had sounding round the vessel, returned, when I was informed the reef on which we were, appeared to extend from the shore; that it ran some distance outside of us, and that it was a bottom composed of sharp rocks, upon which there was but thirteen feet water, for upwards of a cable's length in every direction: the brig drawing sixteen feet and an half. The carpenter also, reported the water in the hold having made its appearance above the birth-deck. The getting off now would have been useless, even though it had been practicable. I therefore turned the attention of the officers to getting as many of the crew into the boats as they would carry, and sent them to find the shore Shortly after their departure the brig being in the act of turning over on her starboard hilge, I was under the necessity of having the masts cut away. The preservation of those left on the wreck had now become somewhat precarious. The wind and sea had increased considerably from the period of her first taking the ground, and there were no boats to take them off. Luckily, however, the boats had effected a landing about 3 A. M. when the remaining part of the crew, the officers and myself abandoned the wreck and reached the shore.

It gratifies me to say that better conduct could not have been exhibited by any officers in a similar situation. All orders from me were promptly obeyed by the executive officer (lieut. Edward Shubrick) and such was the zeal manifested by the officers and crew generally for the preservation of the vessel, that had it been an ordinary bottom upon which we struck, their exertions must have been crowned with success. My proceedings from the date of this unhappy event, until I left the above island, shall be the subject of another communication, and in the hope that no unfavorable impression may be received until an investigation of my conduct, which I trust will speedily take place.

I have the honor to be, sir, with great respect, your obedient servant,

GEORGE C. READ.

The hon. *W. B. Crowninshield,*
Secretary of the navy of the United States.

A court of enquiry was recently held in New York, in pursuance of an order of the secretary of the navy, issued on receipt of the preceding letter, to investigate the causes and circumstances which produced the loss of the U. S. brig Chippewa, under the command of George C. Read, esq. a master commandant in the navy of the United States. The court was composed of captain Samuel Evans, as president, captain Samuel Angus and master commandant Edward Trenchard, as members, and James A. Hamilton, esq. as judge advocate. After a minute enquiry into all the facts and circumstances connected with the loss of the brig Chippewa, it was satisfactorily established, that no blame whatever attached to the commander; and that captain Read, his officers and crew, made every possible exertion to save the vessel.

The proceedings of the court of enquiry were approved by the secretary of the navy, and captain George C. Read was ordered to report himself for duty.

Arts, sciences, improvements.

FROM EUROPEAN PAPERS.

Sir H. Davy has found by different experiments, that by mixing 20 or 30 grains of common magnesia with each pound of the worst flour, it will make bread of the best quality.

The French papers state that capt. Freycuret was about embarking on an interesting enterprize, in the sloop of war Urania. His principal object is to ascertain the form of the southren hempisphere of the earth; its natural appearance, meteorology, and natural history. No expedition of this kind has been undertaken either in England or France, since that of capt Baudin, of whose party capt. F was one; and the results obtained from that expedition, gives a just idea what may be expected from this.

A young, man named Thomas, of Newport, (E.) has invented and perfected a clock, on a system entirely new—it goes 384 days without once winding up, marks the minutes and seconds—the wheels are of copper, the pinions of cast steel.

There has lately been sent from Italy to count Romanzow, at Saint Petersburg, a colossal statue, of white marble, executed by Canova, representing the goddess of peace, holding an olive branch in her hand, leaning on a column with the following inscriptions—"peace of Abo, 1743; peace of Kudschuk, Rainardschi; peace of Fredericksham, 1807."

A canal between Edinburgh and Glasgow, is finally determined upon. It is expected to employ nearly the whole of the men at present out of work in that populous district. The estimated expence of forming the canal is £264,910, and the annual receipts, after deducting every charge coming against it, are expected to amount to £49,000, being 15 per cent. on the capital embarked.

The learned are much occupied in England examining a *new discovery*,* which furnishes to chemistry an extraordinary power—it is fire of a new species, resulting from the compression of a mixture of oxygen and hydorgen gas—it melts in an instant the hardest metals, even platina—it reduces pipe clay to brilliant glass—it changes (if we may use the expression) the elements, and opens a course to extraordinary experiments.

The rev. M. Stark, a canon and astronomer of Augsburgh, has observed in the Sun a vast opening or cavity, 4 minutes 36 seconds from its eastern and 15 minutes 7 seconds from its southern edge. In that cavity, the apparent diameter of which is three times larger than the real diameter of the earth, are seen two black billows or holes, separat-

*This "new discovery" is stated in the New-York Columbian, to have been known in the United States fifteen years ago, "by Dr. Hare, of Philadelphia, and improved and extended by Dr. Silliman, of Yale College."

ed from each other by a luminious space, and the largest of which terminates in a point at its upper extremity, and crenated at its lower. Between this vast apparent abyss and the eastern edge of the sun there are several asperities, below which four small black spots are seen, and six above.

CHRONICLE.

We learn that Mr. Rush, late attorney general of the U. S. will succeed Mr. Adams as our minister at London, and that until the return of Mr. A. he will have charge of the department of state.

It is stated that a party of lower Creeks have killed and scalped a woman and two children in St. Mary's county, Geo.

Many barges and boats left Cincinnati on the 1st. of March, the ice in the river being broken up, laden with flour &c. for New Orleans.

The assembly of New York, by a large majority, has passed the bill declaring all negroes and mulattoes and mustees within that state, to be free after the 4th of July 1827.

An Havana paper of Feb. 15, mentions the arrival there of three vessels from Africa with upwards of 1200 slaves!—Surely this dreadful traffic must have an end.

B. Smead, of Bath, has announced his having in the press, a pamphlet of sixty pages, entitled "*Causes of the destruction of the American towns on Niagara frontier, and failure of the campaign of* 1813—by George M'Clure, brigadier-general of the New-York Militia.

The Carlisle convention.—A strange error and omission occurred in our last number in an attempt to give an account of the proceedings of the convention at Carlisle, Pa. for the nomination of a suitable person to be supported by the "Independent Republicans" of that state for governor, at the ensuing election. Such things are among the "*miseries*" of editors. The article ought to have read thus—

"There has also been a convention at Carlisle for the same purpose—present, delegates from thirteen counties and the city of Philadelphia. *Thomas Forrest in the chair; Hamilton Humes and F. A. Muhlenberg, secretaries. An examination into the election of the delegates being had, Joseph Heister, Dr. George Logan, Andrew Gregg,* Presley C. Lane, Isaac Weaver and John Steel, were put in nomination, but all withdrawn except the first named, who was agreed upon unanimously to be recommended to the freemen of Pennsylvania for their support at the election in October next.

☞The lines and words in *italic* were left out, or transposed from their proper places, and the paragraph was made to say that Mr. Muhlenberg, instead of Mr. *Heister*, had been agreed upon as the candidate for governor.

INDIAN CAPTIVITY Extract of a letter from col. Richard Johnson to his friend in Scott county, dated January 29.

Dear Sir—We have received information from several gentlemen in Kentucky, that one of our citizen soldiers has lately returned from indian captivity, and has given information that a number of our fellow-citizens remain behind in the same situation, captives to the indians, and that our neighbor Fant, the musician, was near Quebec held as the property of an Indian in the British service, as a musician. I have seen the president and the secretary and most of the members from Kentucky, who have taken an interest in this thing. Col Monroe has made a communication of these facts to Mr. Bagot, who will forthwith furnish all the facilities in his power to release Fant and others from their present condition, by calling on the local authorities of Canada. Besides this, the president will employ a special messenger to traverse the wilderness and search after those unfortunate captives who are deprived of liberty, by risking their lives in defence of their country.—[*Argus.*

Quebec, Feb. 26.—*Castle of St. Louis.*—A report having reached his excellency the governor in chief that an American citizen named Thomas Vance or Vant, who was taken prisoner in the action at river Raisin, on the 22d June, 1813, is detained in captivity by an indian in Quebec, or its vicinity, and his excellency having caused every inquiry to be made, though without success, to discover the said American citizen, has directed a public notice to be hereby given that if the said Thomas Vance or Vant is in any part of the province in captivity and will make known his situation to his excellency, measures will be taken for his immediate release and restoration to his friends.—And any person possessing information respecting the detention or present situation of the said Thomas Vance or Vant, are requested to communicate the same to his excellency.

By his excellency's command,

ANDREW WM. COCHRAN, *Secretary.*

The laurel.—We have had the pleasure to notice many of our heroes reposing on their laurels won in the late war—and maj. gen. *Scott* has just married Miss Mayo, at Richmond, and capt. *Warrington*, of the navy, united his fortune with that of Miss King, of Norfolk. Who does not "wish them joy?"

Specie. The arrival of Mr. Sergeant, an agent from the bank of the United States, is mentioned in the London papers—and dollars are said to have risen in consequence. But we think we have seen the arrival of at least a million, at various ports of the United States, mentioned within the last two weeks, apparently reaching us in the regular course of trade.

Treaty with Sweden.—There is a report that the senate refused to ratify the treaty with Sweden, concluded by Mr. Russell.

Sagacity of a dog.—Yesterday, a small dog fell into the river at Coenties slip (New-York) and went down with the tide, yelling for assistance. A large water dog jumped into the river from a vessel, seized the one in distress by the ear, and brought him within the reach of several by-standers on the dock, who pulled him out of the water; and the dog, refusing assistance, swam back to the vessel he had left. [*New York paper.*

Relations with Spain.

[CONCLUDED FROM PAGE 25.]

[B.]

Translation of a letter from Mr. Onis to the secretary of state, dated February 24, 1815.

SIR—The letter with which you honored me on the 19th of last month, in answer to mine of the 30th December and 2d January, had two objects. The first to make known to me the complaints which this government considers itself as having against Spain, for a long time past. The second to communicate the resolution of the president on the three points embraced in my notes mentioned above.

You state that the president would have wished that I should not have confined myself to bringing forward the complaints of his majesty, but should have likewise proposed a reparation for those of the United States against Spain.

The claim for damages and injuries, of which you speak, would have been definitively arranged and settled, if the diplomatic relations between the two powers had not been interrupted since the memorable epoch of 1808; and this government cannot but know, that this interruption ought not to be imputed to Spain; his majesty having made, from that time, the greatest efforts to maintain them pure and unaltered:

I have assured you verbally and in writing, that his majesty desired nothing so anxiously, as to satisfy the United States for every

injury they may have received from Spain, and to proceed to give this satisfaction with that generosity and high sense of honor which have at all times distinguished the Spanish character, and which have always shone conspicuously in the conduct of the government of the king my master: But all these points, as being anterior to the epoch I have mentioned in my notes, and since then pending between the two cabinets, ought to be the object of a particular negociation; and nothing is more natural or more conformable to justice and good faith, than that, for facilitating this very negociation, the state of things between the two nations should be reduced to the same footing on which it was at the epoch referred to, since, from that time, there has neither been any official correspondence between the two governments, nor have the United States received the least injury from Spain; and, if they have received any, it has been contrary to the will of his majesty, and without his knowledge. Of this class, without doubt, is that which you mention in your note above cited, that is, that British troops and agents had been introduced into Florida, and had communication with the Indian enemies of this republic in its last war with Great-Britain. The rigorous neutrality which his majesty has observed in the island of Cuba, East Florida, and his other possessions, ought to convince the president that the governor of West Florida (who is, I suppose, the person to whom you allude) had like orders with the other chiefs, to observe the most strict neutrality, and, if he has failed in obeying them, he would have been severely chastised, had you given to me the least intimation as to his conduct.

I will now pass to the second object of which your letter treats; that is to say, to the resolution which this government has taken on the three points stated in my letters of the 30th December and 2d January.

The first was confined to a request that in conformity to the principles I have stated; that is, that the affairs between the two nations should be placed on the same footing they were before the interruption of the diplomatic relations between them, his majesty should be put in possession of that part of Florida which the troops of the union had occupied. You were pleased to state, in reply, that this government, believing that it had a well founded right not only to the part of West Florida which their troops had occupied, but to a greater extent of territory, comprehended in the limits of the vice-royalty of Mexico, had judged that with the same propriety that the king, my master, occupied those possessions, the United States might retain that part of West Florida they held, until it was decided by a friendly convention to whom it belonged.

Permit me to observe that there is no parity in the cases. The country to which you allude, extending to the rio Bravo, or del Norte, has been under the dominion of Spain, not only before and since France ceded Louisiana to his majesty by the treaty of 1764, but from the time of the discovery and conquest of Mexico, without ever having passed by treaty to any other nation; whereas the Floridas ceased to be a French or Spanish possession, and passed into the hands of England, under the name of East and West Florida, in the year 1763. They remained under the power of his Britannic majesty, as such, until the year 1783, when, by conquest, the Spanish arms, and by solemn treaty, they passed under the dominion of his catholic majesty. From this you will infer that, be the interpretation which may be wished to be given to the treaty of *retrocession* of Louisiana, made between France and Spain in 1800, what it may, the two Floridas can never be directly or indirectly included in it; first, because these provinces being in the legitimate possession of England from the year 1763 to the year 1783, France could not cede them to Spain by the treaty of 1764—nor Spain retrocede them to France, not having received them from her, unless there should have been an article on this point, in which express and direct mention was made of the cession; and secondly, because the two contracting parties (Spain and France) have declared in the most solemn manner, the first, that she did not cede to France any part of the Floridas—the second, that she had not acquired them by the treaty of St. Ildefonso, or of *retrocession* of 1800; nor had had the least intention to set up a claim to them. You know very well, that, according to all the acknowledged principles of justice, no one can be put out of the possession of what he holds, until the right of the person who claims it shall be proved and recognised; and that, by a natural consequence of this principle, Spain having been in possession of West Florida when the United States laid claim to it, it is proper she should keep it until this republic shows a better right—which ought to be done in a friendly negociation between the two powers; and that it would be anticipating the negociating to begin by taking possession of the territory, the right to which so far as it respects the United States, ought to be the object of the negociation itself. These are the grounds which support the first demand I made on you, in the name of his majesty, in my letter of the 30th December, and I flatter myself, that, reflecting on facts so well known, you cannot do less than consider them just.

I pass now to the second point; this is confined to asking the punishment, according to law, of those turbulent and seditious individuals, who have taken up arms within the territory of this confederation, and from thence, carrying desolation, destruction, and horror into the frontier provinces of the crown of Spain; and not content with the atrocities they have heretofore committed, they are now actually engaged in recruiting troops, and preparing armaments in the bosom of this country, again to invade these provinces. I have named the ringleaders of these rebels, who have violated the neutrality and the most sacred laws of the United States, by the well known fact, of their having armed in their territory, and marched from thence in military and hostile array, to subvert the peace and good order of the dominions of the king my master. I have named Toledo, Bernardo Gutierrez, doctor Robinson, and others, who perpetrated the horrible deeds at St. Antonio de Bexas; who recruited their troops in Louisiana, and even in the limits of New-Orleans, and proceeded from thence, as an army, to assault the province of New Mexico; who committed there outrages never heard of even among savage tribes; and who, after being defeated, again took refuge in the territory of this union—where they are now endeavoring to raise new forces to repeat the same excesses. Toledo, Bernardo Gutierrez, doctor Robinson, and their followers, to this time, move about with impunity in Louisiana, and even in the city of New-Orleans itself. The infraction of the laws of the United States, and the violation of the dignity and honor of the American people, of which they are guilty, is public and notorious, not only in this country, but in the whole world. I stated to you in addition, on this point, that the ringleaders I had named to you were expecting considerable reinforcements from Kentucky and Tennessee, to undertake a hostile expedition against the neighboring possessions of my sovereign; and that I had advised that these reinforcements, composed of American citizens, were raised for the purpose of uniting with them.

You were pleased to state to me, in reply on this point, that the president had determined not to take any part in the disputes which had arisen between his catholic majesty and the revolted provinces on this continent; and that, in conformity to this system, the governors of different states, as well as the president himself, had issued repeated proclamations, directing that all those who set on foot, or promoted the recruiting of adventurers, with the design of invading the possessions of his catholic majesty, should be prosecuted according to law; that the information received at your department from very respectable persons, is, that the force collected by Toledo, is very inconsiderable, and composed principally of Frenchmen and Spaniards, without the territory of the United States, where their laws do not reach; that my statements on this point are not circumstantial, and that as soon as I pointed out American citizens, who promoted the expeditions, collected the troops or facilitated the supplies to which I referred, and if these collections of troops, &c. were in the territory of this union, they should be immediately dispersed and the persons implicated should be prosecuted according to law.

To satisfy you on this point, with that simplicity and candor which belongs to me, I will divide into two classes these seditious persons of whom I have spoken to you in my notes. I will include in the first class, Toledo, Bernardo Gutierrez and Dr. Robinson, as violators of the laws of the neutrality of the United States, an infraction so notorious, and so evident, that I should do wrong to detain you in referring to the innumerable acts which demonstrate it in an incontestible manner. It is known to you, to your government, and to the whole country, that with the troops they individually raised three years ago in Louisiana, they marched in military array, to invade the internal provinces of the vice-royalty of Mexico; the horrible assassinations they committed, particularly those by Bernardo Gutierrez, at St. Antonio de Bexas, are known. And finally, it is known, that being defeated by the troops of the king, my master, they took refuge again in this country, and that the government of Louisiana permitted them to remain undisturbed in the very territory whose neutrality they had violated. This single fact is, in my opinion, a sufficient reason why the law should take hold of them, before they leave the jurisdiction of the United States, to renew melancholy scenes. But I will give to you even new proofs, that these high-way robbers have not ceased from that time to concert and realize new projects against the tranquility of the inhabitants of the dominions of the king my master.

The annexed copies, marked No. 1, 2 and 3, of intercepted letters from Toledo, which have been officially sent to me, prove beyond doubt, that Toledo had armed in New-Orleans, three vessels, in which he carried arms and munitions of war, to give support to the insurrection in Mexico; and that he returned to that city, bringing back with him Herrera, who calls himself minister plenipotentiary, from the revolted provinces to this government. You will see, with surprise, that Toledo, not content with thus openly violating the most sacred laws of neutrality of this confederation, had the impudence to prostitute the respectable name of this government, by asserting, in one of his said letters, that the United States only waited the arrival of the minister of the revolutionists of Mexico, to acknowledge its independence. The other ring-leaders have done the same thing to deceive adventurers, both in and out of Mexico, and even citizens of the United States, seducing them by false assurances, that their government was decided to support them, and that it would proceed immediately to recognize, as an independent power, that band of high-way robbers and insurrents. From the extract of a letter from a person of the greatest veracity and the best character, now forwarded to you, marked No. 4, you will observe, that Toledo had deferred his expedition against the provinces of the king my master, as I stated to you in my note of the 2d January, as the thousand men he expected from Kentucky, and the three hundred from Tennessee, could not form a junction with him in less than twenty-four days; and in Nos. 5 and 6, you will see this information confirmed under a posterior date, advising me, that a number of Americans came down from the states adjacent to Louisiana, to join the expedition which Toledo had concerted; and that he (Toledo) would carry with him engineer Laford, Savary and one Soubenet.

You will also learn, that provisions and a Carthagenian flag were sent to the American brig, the Tom Bowline, from New-York, at the moment of her arrival at the Balize, by a gun-boat of the United States, with the object, it would seem, of convoying with her the vessels which should sail from New-Orleans with munitions of war for the establishment at the new port of Tampica; that they had purchased, in New-Orleans itself, five other schooners, which they are actually arming to cruize against the Spanish commerce; and that it appears that Mr. John K. West, merchant of that place, is the agent for these vessels; and finally, that in that city there has been a revolutionary junta, at the head of which is Toledo and Herrera, from which has issued the wicked decree mentioned in these letters, that four honorable Spaniards should be put to death for every revolutionist punished by the established laws of the monarchy of the king my master.

As respects doctor Robinson, it is notorious that he has been one of the most infuriated enemies of Spain, and the one who has, with the greatest eagerness, promoted the rebellion of the provinces of

his majesty. It was he who introduced himself into the internal provinces to seduce their inhabitants—it was he who sowed the seeds of insurrection—it was he who procured intelligence in Saint Antonio de Bexas for Bernardo Gutierrez, that he might possess himself of the place, and afterwards murder fourteen Spanish chiefs—and it was he who published in these United States proclamations, signed with his hand, inviting adventurers from all parts to form an army, pointing out the places of enlisting men, and the pay of those enlisted: and, in one word, declaring war himself, in a certain mode, against the Spanish nation, from the very bosom of this republic, as you will find more in detail in the authenticated copy (No. 7) which accompanies this, the original of which is in my possession.

I include in the second class those individuals who, seduced by the imposture of the principal authors of these hostile expeditions, have assisted, from the bosom of this republic, the revolutionists of Mexico, some by furnishing them arms and munitions of war, others by enlisting themselves, in this country, in the army of the insurgents, which passed over to subvert all order in the provinces of the king my master. In this number are those other persons, whom I have mentioned to you in this and my former notes. The information which I gave you respecting some persons who were preparing hostile expeditions from Georgia, against the possession of the king my master, you will find established, officially, by the governor of East Florida, in his letter (No. 8) which accompanies this; in which he advises me, that John M'Intosh and William Crinch, who supported the last insurrection in that province, in the year 1812, are now recruiting in Georgia, a considerable number of vagabonds, again to invade the territory under his command.

I flatter myself that this series of acts, so circumstantial, the information of which has been acquired through channels so respectable, will be sufficient to call the attention of the president to the necessity of cutting up by the roots these melancholy abuses, and to shut the door against the continual violent movements of these turbulent people, who from the bosom of this republic, make war on a friendly and neighboring power. It has never been the intention of the king, my master, to request that the punishment of the laws should be inflicted on these disturbers of social order, when their guilt is not fully proven. On the contrary, I have informed you that the object of his majesty is not to take vengeance on these high-way robbers, but to shelter his subjects from their barbarity. His majesty has only thought proper to solicit from the rectitude and circumspection of this government, what might prevent the crimes which are meditated from taking effect, as otherwise it might be too late to prevent them, as the offenders will be beyond the territory of a friend, and at a distance from the arm of the law. Good order requires, not only the offences already committed should be punished, but that those which are contemplated should be prevented: and this is the case of the individuals I have comprehended in the second class. The personal knowledge I have of the rectitude of the president inspires me with a confidence that he will view the acts I have just stated, as I do; and, proceeding in this particular case, with that integrity and humanity which is the most glorious distinction of the American character, he will be pleased to adopt those measures which he may believe most analogous to the system which, you tell me, this government has adopted, not to mix in these dissentions, and not to permit the citizens of this republic to take part in them, nor to permit its territory to be a shelter to foreigners, who try to make war on a friendly power.

To the third point in my notes, intended to solicit from your government, that vessels from the insurgent or revolted provinces of Spanish America, should not be admitted into the ports of the republic, as well because none of those provinces are recognized by any power in the world, as because the obligations of friendship and good neighborhood demand that we should not in any way contribute to protect provinces or subjects who have revolted, you have been pleased to make known to me, that the president, observing the change of government which had taken place among the revolutionists in Spanish America, had adopted the measure of ordering the collectors of the customs to admit every description of vessel, without regard to her character or flag, provided she paid the duties, and observed the laws of the country during the time she was in port.

With due respect for the measures adopted by the chief of this confederation, I cannot do less than state to you, that the changes of government which have taken place among the revolutionists of Spanish America do not appear to me to afford a sufficient motive for altering the friendly conduct towards a power, with whom one is in peace and harmony. You cannot but know, that this measure places these factionists not only on a footing of equality with the Spanish nation, but gives them advantages over all independent powers, since, according to the laws of neutrality, the United States would not permit any independent nation to arm its vessels in their ports, nor to sell prizes in them as is permitted to these revolutionists.

By the two acts of congress, one of the 28th of February, 1806, and the other of the 24th of the same month in 1807, all commerce with the rebels of St. Domingo was prohibited at the request of France. As the treaties subsisting between Spain and the United States place Spain on the footing of the most favored nations, his majesty considers himself entitled to expect that this republic will now adopt in his favor a like measure during the disturbance in Spanish America, or for such other period as it may be considered proper to designate. Such is the spirit in which I have made the three requests to your government, stated in my former notes. I hope that the present observations will merit a favorable reception from the rectitude and wisdom of the president and yourself. I have given an account to my government of all these particulars, sending it a copy of my notes, and of the answer I had the honor to receive from you. And in the mean time I ought to reiterate to you the most positive assurances of the disposition of the king, my master, to maintain and to strengthen the ties of friendship and good understanding with these states.

At the conclusion of your note, which I am now answering, you are pleased to make known to me that this government is anxious to terminate, by means of a friendly negociation with the king my master, all pending differences, and that it will be very satisfactory to the president to know that I am vested with powers to that effect. I have not lost any time in communicating to my sovereign this desire of the president, and I will have the satisfaction of announcing to you what his majesty may determine on this point: nevertheless, I ought to state to you, (although it would be highly flattering with me to treat with you, as your penetration and rectitude would facilitate the arrangement of these affairs,) yet it appears to me, that, as Mr. Erving has not yet sailed from the United States, that the business would be expedited if the president would give him power and instructions to terminate the negociations at Madrid. This arrangement cannot present great difficulties; the respective rights of each power being once settled by common agreement, a friendly understanding being had on each point in discussion, and it being determined what are the reciprocal obligations of Spain and the United States, they would be still further obviated if you would have the goodness to inform me, frankly and plainly, as I requested in a former letter, what are the pretensions of right, which the United States have against Spain, and what are those for their own convenience, which they desire to realize for an equivalent which may be advantageous to the two nations, to the end that, with the knowledge I have acquired of the mutual interests of both, I may recommend to the attention of his majesty these particular points.

I renew to you my respects, and pray God to preserve your life many years.

(Signed) LUIS DE ONIS.

Philadelphia, 22d February, 1816.

Copy of a letter from the secretary of state, to the Chevalier de Onis, dated

Department of state, June 10, 1816.

SIR—I had the honor to receive your letter of February 22d, soon after its date, and to communicate it to the president.

Anxious as this government has been to terminate all differences with his catholic majesty, on conditions of reciprocal advantage, and with equal honor to both parties; it would have been very satisfactory to the president, to have found that you had been vested with full power to negociate and conclude a treaty for these purposes.

I have the honor now to state, that Mr. Erving, minister plenipotentiary of the United States to his catholic majesty, has been instructed on these important subjects; and that as the views of this government are just and liberal, a strong hope is entertained that your government, bringing to the negociation a similar disposition, will agree to such an arrangement as will be mutually advantageous and satisfactory to both nations.

However agreeable it might be to leave these high concerns in this train, without further discussion here, it is nevertheless, proper to notice some passages in your letter of February 22d, notwithstanding the clear light in which the subjects, to which they relate, have been placed in former communications. You intimate in your late letter of May 30th, a desire to receive a particular answer to that of February 22d, and it is just, that you should see, that my silence was imputable to the cause only, which is above suggested.

You state that as that portion of Louisiana, which lies eastward of the Mississippi and the Iberville, had been ceded by France to Great Britain in 1763, and by Great Britain to Spain in 1783; it could not be comprised in the cession of Spain to France in 1800, nor of the latter to the United States in 1803; and you draw this conclusion from the supposed import of the term "retrocession" used in the two latter treaties; which you say, applies to that portion only which Spain had received from France. My interpretation of these treaties, taking into view so much thereof, as relates to this subject, is very different. As to the term "retrocession," it is evident, that it was not the intention of the parties, that it should have any effect whatever on the extent of the territory ceded. The import of this term is too vague, and the term itself was used in a manner too casual to admit such an inference, even had there been nothing else in the treaty between Spain and France of 1800, to show that the construction you contend for, is altogether inconsistent with the manifest intention of the parties. The import of this term would, in my opinion, be satisfied, if the whole province had passed in the first instance, from France to Great Britain, and been conveyed afterwards by Great Britain to Spain, and by Spain back again to France. In regard to France, this last conveyance would have been a "retrocession," as, by it, the territory would have been ceded back to her. It was very natural therefore, that this term should be used, being applicable in the most limited sense, in which it can be taken, to at least nineteen twentieths of the province, and in a qualified sense, to the whole.

Had it been intended to exempt any portion of the province in the possession of Spain, from the operation of the treaty of St. Ildephonso, it would have been easy to have done it, and in a manner to preclude all doubt of the intention of the parties. It might, for example have been stated, that Spain ceded back to France, such part of the province as France had ceded to Spain. A stipulation to this effect would have been concise, simple, and very perspicuous; it would have rendered useless and unnecessary the other provisions of the article, in regard to the point in discussion, and for any purpose whatever, the first of those provisions; or they might have defined the extent of the cession by a natural boundary which would have been equally distinct and satisfactory. Had Spain ceded to France all that portion of Louisiana, which lies westward of the Mississippi, the Iberville and the lakes Maurepas and Pontchartrain, no controversy could ever have arisen between France and Spain, respecting the eastern limits; as to what Spain

had ceded in that quarter, and what she had retained; nor could there have been one between the United States and Spain. By declining to define the boundaries of Louisiana, eastward, in some one of these obvious and perspicuous modes, it is just to conclude, that it was intentional; that there was an object in it; and what that object was, is sufficiently apparent, from a fair construction of the provisions of the article already noticed

By the treaty of St. Ildephonso, in 1800, the province of Louisiana is ceded to France by Spain, "with the same extent that it now has in the hands of Spain, and that it had when France possessed it; and such as it should be after the treaties subsequently entered into between Spain and other states." And by the treaty of 1803, between the United States and France, this article of the treaty between France and Spain, is inserted verbatim, by which the United States are placed precisely on the same ground on which France herself stood.

If we recur to the several provisions, we shall find that each has a distinct object, for which it would not have been necessary to provide, especially in that mode, if it had been the intention of the parties that no portion of West Florida, in question, should have been exempted from the cession. By stipulating first, that the province was ceded "with the same extent that it now has in the hands of Spain," direct reference was made to that portion of West Florida lying between the Mississippi, the Iberville, the lakes Maurepas and Pontchertrain, and the Perdido. This provision cannot be construed, as alluding to any other part of the province, and its sole effect was intended to be to include it in the cession to France. The second provision is equally explicit, "that it had when France possessed it." It is known that France had held the province to that extent, before the treaties of 1763, by which she had ceded it to Spain and Great Britain, and by this stipulation it was ceded back to her in the same extent, so far as Spain could do it. The third provision has an object equally distinct, and is the more important, because by giving it its intended effect, the construction given to the others is fully confirmed. "Such as it should be after the treaties subsequently entered into between Spa in and othe states" By the treaty between the United States and Spain, in 1795, the boundaries, as established between the United States and Great Britain, in 1783, and the free navigation of the Mississippi, are confirmed, with the addition of the right of deposite at New Orleans. This provision applies to this treaty, and likewise to the treaty of 1783, between Great Britain and Spain, by which West Florida was ceded to the latter, whereby she was enabled to restore it, in the extent contended for, to France. In regard to its operation on the treaty of 1795, between the United States and Spain, it was a provision which the United States had a right to expect from the good faith of Spain.

This view of the subject, which was, in substance, taken by the ministers of the U. S. in 1805, in a negociation with your government, at Aranjuez, appears to me, as it then did, to be conclusive. You urge, however, against it, that the French government had stated that it was not its intention to cede to the United States that portion of Louisiana which France had ceded to Great Britain by the treaty of 1763. The same declaration was made to the ministers of the United States at Aranjuez, in 1805, for the same purpose that it is now repeated. A just regard to the rights of the United States founded on the cession which France had made to them, with a thorough knowledge of all the circumstances attending the transaction, combined with a due respect to the government of France, dictated the answer. Your government was informed that the American envoys had proposed to the French government, in the negociation which terminated in the cession of Louisiana by France to the United States, in 1803, that its boundaries should be defined by the treaty, to which the French government did not accede, preferring to insert in it an extract from the treaty of St. Ildephonso, by which the province had been ceded by Spain to France, with intention to place the United States, in regard to Spain, on the same ground, precisely, that France held herself under the treaty of St. Ildephonso, unprejudiced by any opinion of her own. Nothing had occurred in the negociation with France to excite a doubt that the Perdido was the eastern boundary of Louisiana. It had been the boundary of the province when held by France, before the treaties of 1763, and it was made so again by the treaty of St. Ildephonso which restored it to her. Such was the construction which the American ministers gave to that treaty, who were engaged in the negociation with France, and such their representation of it to their government, after the treaty with France was concluded. It merits particular attention that when your government was requested to cede to the United States such territory as they were desirous of obtaining, prior to their acquisition of Louisiana, it replied to their minister at Madrid, by a letter of the 3d of May, 1803, "that by the retrocession made to France of Lonisiana, that power regained the province with the limits it had, saving the rights acquired by other powers; and that the United States could address themselves to the French government to negociate the acquisition of territories which might suit their interest." With the subject thus presented before the government of the United States, the fair construction of the article of the treaty of St. Ildephonso, maintained by the American ministers in their official communication accompanying the treaty, sanctioned, as it evidently was, by the letter of our minister at state, the treaty of Paris of 1803 was ratified. It could not be expected that the United States would appeal, under these circumstances, to France for information, as to the extent of the acquisition which they had made, or be governed by any opinion which her government might express, in that stage, respecting it.

With respect to the western boundary of Louisiana, I have to remark, that this government has never doubted, since the treaty of 1803, that it extended to the rio Bravo. Satisfied I am, if the claims of the two nations were submitted to an impartial tribunal, who, observing the principles applicable to the case, and tracing facts, as to discovery and settlement, on either side, that such would be its decision. The discovery of the Mississippi, as low down as the Arkansasa n 1673, and to its mouth in 1680, and the establishment of settlements on that river, and on the bay of St. Bernard, on the western side of the Colorado, in 1685, under the authority of France, when the nearest settlement of Spain was in the province of Panuco, are facts which place the claim of the United States on ground not to be shaken. It is known that nothing occurred afterwards on the part of France to weaken this claim. The difference which afterwards took place between France and Spain, respecting Spanish encroachments there, and the war which ensued, to which they contributed, tend to confirm it.

I have thought it proper to make these remarks in reply to your letter of February 22d, respecting the eastern and western boundary of Louisiana. The subject having been fully treated in several notes to your government in 1805, and particularly in those of March 8th, and April 20th of that year, I beg to refer you to them for a further view of the sentiments of this government on the subject.

In adverting to the parts of your letter which relate to the revolted provinces of Spain in America, and the aid, which you state, the revolutionary party have derived from the United States; I cannot avoid expressing equally my surprize and regret. I stated in my letter to you of January 19th, that no aid had ever been afforded them, either in men, money or supplies of any kind by the government, not presuming that the gratuitous supply of provisions to the unfortunate people of Carracas, in consequence of the calamity with which they were visited, would be viewed in that light, and that aid to them from our citizens, inconsistent with the laws of the United States, and with the law of nations, had been prohibited, and that the prohibition had been enforced with care and attention. You stated in your letter of January 26, that forces were collecting in different parts of our western and southern country, particularly in Kentucky, Tennessee and Louisiana, for the purpose of invading the Spanish provinces. I stated to you in reply, that I knew of no such collection of troops in any quarter, and that from information derived from the highest authorities, I was satisfied that none such had been made. I requested you to state at what points these troops were collected, and who were the commanders? You have sent me, in reply, extracts of letters from persons whose names are withheld, which establish none of the facts alledged as to the raising of troops in the United States, but recite only vague rumors to that effect. I have the honor to transmit to you a copy of a letter on this subject, from Mr. Dick, the attorney of the United States for the district of Louisiana, by which you will see how attentive the public authorities have been to the execution of the laws of the United States, and to the orders of the government, and how little they have deserved the charges made against them.

As I cannot doubt that you have taken erroneous impressions from the misrepresentation of partial or misinformed individuals and that you have communicated the same to your government, I rely on your candor to adopt such measures as may appear best calculated to place the whole subject before it in a true light. It is important that the effort which the president is now making to adjust our differences with Spain, should have the desired result; and it is presumable that a correct knowledge of the conduct of the United States, in these circumstances, would promote it.

I have the honor to be, &c.

JAMES MONROE.

Copy of a letter from Mr. Dick, attorney of the United States for the district of Louisiana, to Mr. Monroe, enclosed to Mr. Onis, in the secretary of state's letter of June 10, 1816.

New-Orleans, March 1, 1816.

SIR—I have just had an opportunity of perusing the letters of the chevalier de Onis, envoy extraordinary and minister plenipotentiary of his catholic majesty, addressed to you, under date of the 30th of December and the 2d of January. As these letters dwell largely upon transactions affecting the neutrality of the United States, which are said to have occurred, and to be still occurring here—and as they charge the public authorities of this city with giving, in the face of the president's proclamation of the first of September last, protection and support to the enemies of his catholic majesty, I think it not improper to address you in relation to these charges.

It is affirmed by the chevalier de Onis, "and it is," says he, "universally public and notorious, that a factious band of insurgents and incendiaries continue, with impunity, in the province of Louisiana, and especially in New-Orleans and Natchitoches, the uninterrupted system of raising and arming troops to light the flame of revolution in the kingdom of New-Spain. All Louisiana," he continues, "has witnessed these armaments—the public enlistments—the transportation of arms—rejunction of the insurgents—and their hostile and warlike march from the territory of this republic against the possessions of a friendly and neighboring power."

No troops at present are, or at any former period were, openly raised, armed or enlisted at Natchitoches, or at New-Orleans, or at any other point within the state of Louisiana. Arms have been transported from this place by sea and otherwise, as objects of merchandize, and probably have been disposed of to some of the revolutionary governments of New-Spain. It has not been supposed here that there was any law of the United States, any provision by treaty, or any principle of national law, that prohibit this species of commerce: it was considered that the purchasing and exporting by way of merchandize, of articles termed contraband, was free alike to both belligerents; and that if our citizens engaged in it they would be abandoned to the penalties which the laws of war authorise.

What is said, too, about the junction of the insurgents, and their hostile and warlike march from the territory of the United States against the possessions of Spain, is unfounded. In the summer of the year 1812, a band of adventurers, without organization, and

apparently without any definite object, made an incursion into the province of Texas as far as San Antonio, by the way of Nacogdoches. No doubt many of the persons belonging to this party passed by the way of Natchitoches—but separately, in no kind of military array, and under such circumstances as to preclude the interference of the civil or military authorities of the United States, or of the state of Louisiana.

What could be effected in this respect was done; twice in the years 1811, '12, parties of adventurers who had assembled between the Rio Hunda and the Sabine, (the neutral territory) were dispersed by the garrison of Natchitoches, their huts demolished, and their whole establishment broken up.

The party that marched upon San Antonio assembled to the west of the Sabine, beyond the operation of our laws, and from thence carried on their operations. So far from troops, upon this occasion, assembling at different points, forming a junction within the territories of the United States, and marching thence, I am assured, by various and most respectable authorities, that, although it was generally understood at Natchitoches that some enterprize was on foot, it was extraordinary to see two of the persons, supposed to be engaged in it, together. The officer commanding at that time the United States troops at Natchitoches, (major Wolstoncraft) offered his services to the civil authority in aid of the laws, and to preserve inviolate the neutrality which they enforce.

In consequence, several individuals, found with arms, were arrested; they alleged that they were hunters, and there being no evidence to the contrary, or rather no proof of their being engaged in any illegal undertaking, they were of course discharged. So well satisfied, indeed, were the Spanish authorities of the adjoining province, that neither our government or its agents gave succors or countenance to this expedition, that during the time they knew it to be organized or organizing, they applied to the garrison at Natchitoches, for an escort to bring in some specie, which was immediately granted.

Toledo, who, at the time of its defeat, commanded the party that penetrated to San Antonio, came to this city in the autumn of 1814, when he was immediately arrested and recognized to answer, at the succeeding term of the federal court, to a charge of setting on foot, within the territory of the United States, a military expedition or enterprize, to be carried on from thence against the territories or dominions of the king of Spain: six months having passed, and no testimony whatever appearing against him, his recognizance was delivered up.

After the discomfiture of the party under Toledo, no enterprize destined to aid the revolutionists of New-Spain, appears to have been set on foot from the vicinity of the United States, until late in the summer of last year, when it was rumored that a party, under a person of the name of Perry, was forming for that purpose, somewhere on the western coast of Louisiana. Upon the first intimation that this enterprize was meditated, steps were taken here to frustrate it. Nothing occurred to justify prosecutions or arrests; a large quantity of arms, however, supposed to be intended for this party, were seized on the river, and detained at the custom-house for several months; and commodore Patterson, commanding naval officer on this station, instructed the officers under his command, cruizing in the neighborhood of the suspected place of rendezvous, (Belle Isle, at the mouth of bayou Peche) to ascertain the truth of the rumors in circulation, and if verified, to use the force under their respective commands in dispersing the persons assembled, and in frustrating their illegal intentions. In obedience to these orders, the coast, as far as the Sabine, was examined, and no persons discovered. It is now ascertained that Perry, Humbert, and their followers, inconsiderable in number, passed separately, through Attakapas, and assembled about two leagues to the west of the Sabine. Thence they embarked for some place on the coast of Mexico; were wrecked, dispersed, and their plans, whatever they were, totally defeated.

I have, in the foregoing detail, sir, given partly from information entitled to perfect confidence, and partly from my own knowledge, a brief and hurried outline of two fruitless attempts of a handful of restless and uninfluential individuals, stimulated by the desire of aiding the cause of Mexican independence, or that of bettering their own fortunes. These are the only military enterprizes against the dominions of the Spanish crown, that have drawn any portion of their aid or support from Louisiana. In both, the mass of adventurers was composed of Spaniards, Frenchmen and Italians. I need not say these enterprizes, whether in aid of the revolutionists, or merely predatory, were not only feeble and insignificant, but that they were formed under circumstances which forbid a surmise of their being sanctioned or connived at. Every man acquainted with the state of public feeling throughout the southern and western sections of the United States, knows, that had our government but manifested the slightest disposition to sanction enterprizes in aid of the revolutionists of New Spain, the condition of these provinces would not at this day be doubtful

It is said that troops have been recently enlisted, and that expeditions have been prepared in this city, to invade the dominions of Spain. The enlisting of men, and the preparing of enterprizes, of the kind spoken of, cannot be accomplished without means, or be carried on in the midst of a populous city, in solitude and silence. Yet it is known, in the first place, that neither Mr. Toledo or Mr. Herrera had or have pecuniary means for such purposes; and, in the second, so far as negative proof can go, or so far as the absence of one thing implies another, it is most certain that no enlistments have taken place, and that no expeditions, or the means of expeditions, have been prepared or are preparing here.

A regard to truth makes it necessary to say, that what is alleged respecting the arming and fitting out of vessels within the waters of Louisiana, to be employed in the service of the revolutionary governments, against the subjects or property of the king of Spain, is unfounded. At no period since the commencement of the struggle between the Spanish colonies and the mother country, have vessels, to be employed in the service of the colonies, been permitted to fit out and arm, or to augment their force at New-Orleans or elsewhere, within the state of Louisiana.

On the contrary, it is notorious, that to no one point of duty have the civil and military authorities of the United States directed more strenuously, or it is believed, more successfully, their attention, than to the discovering and suppression of all attempts to violate the laws in these respects. Attempts to violate them, by fitting out and arming, and by augmenting the force of vessels, have no doubt been frequent, but certainly in no instance successful, except where conducted under circumstances of concealment, that eluded discovery, and almost suspicion; or were carried on at some remote point of the coast, beyond the reach of detection or discovery. In every instance where it was known that these illegal acts were attempting, or where it was afterwards discovered that they had been committed, the persons engaged, as far as they were known, have been prosecuted, while the vessels fitted out, or attempted to be fitted out, have been seized and libelled, under the act of the 5th of June, 1794; and when captures have been made, by vessels thus fitted and armed, in which their force was augmented or increased within our waters, where the property taken was brought within our jurisdiction, or even found upon the high seas by our cruizers, and brought in, it has been restored to the original Spanish owners, and in some instances, damages awarded against the captors.

An enumeration of the cases in which individuals have been prosecuted for infringing, or attempting to infringe our neutrality, in aid of the governments of New-Spain, and in which vessels have been seized and libelled, under the act of the 5th June, 1794, together with a list of the vessels and property restored to the original Spanish owners (confining the whole of the operations of the year, commencing March, 1815, and ending February, 1816) will show more exclusively, perhaps, than any thing else can, how totally without foundation are the complaints of Spain on this head.

The names of individuals presented in the district court of the United States, for the Louisiana district, during the year 1815, for violating or attempting to violate, the neutrality of the United States, in aid of the governments of the United Provinces of New-Granada, and the United Provinces of Mexico:

Jose Alvarez de Toledo.
Julies Cæsar Amazoni.
Vincent Gambie.
John Robinson.
Romain Very.
Peirre Sremesen.
Bernard Bourdin.

List of the vessels libelled for illegal outfits in aid of the same governments, during the same period.

Brig Flora Americana,	restored.
Schooner Presidente,	condemned,
Petit Milan,	do.
General Bolivar.	discontinued.
Eugenia, alias Indiana,	condemned.
Two Brothers,	restored.

Enumeratson of vessels and property brought within the Louisiana district, captured under the flags, and by the authority of the governments of New Grenada and of Mexico, libelled on the part of the original Spanish owners, and restored upon the ground that the capturing vessels had been fitted out and armed, or had their forces augmented within the waters of the United States.

1. Schr. Cometa, restored April, 1815.
2. Schr Dorada, proceeds retired 16th May, 1815, dolls. 3,050 00
3. Schr. Amiable Maria, do. do. 3,850 00
4. Schr. Experimente, restored 3d August.
5. The Polacre brig de Regla and cargo, proceeds restored 18th December, 1815, 19,209 50
6. Schr. Alesta and cargo, being the proceeds of the capture of about 18 small vessels, restored 18th Dec. 1815, 62,150 05

Damages awarded to the original owners against the captors in the two foregoing cases, 55,272 97.

7. The cargo of the schooner Petit Milan, restored February, 1816, 2,444 31
8. The cargo of the schooner Presidente, 1st February, 1816, 10,931 15
9. Schr. Sankita and cargo, restored 1st February, 1816, 37,962 94

The preceding account of Spanish property restored to the original proprietors, after being in possession of the enemies of Spain, is defective, inasmuch as it does not comprehend the whole of the cases of restoration that have taken place within the period to which the detail is confined; the very hasty manner in which I have made this enumeration, did not admit of a more accurate statement. The principal cases however, are included in it. In several other cases, where the property was claimed for the original Spanish owners, the claims were dismissed because it did not appear that any violation of our neutrality had taken place.

The capturing vessels were not armed, nor was their force augmented, within our jurisdiction; nor had the captures been made within; a marine league of our shore. The principles that guided the decisions of the court, as well in restoring the property captured, where our neutral means had been used, as in declining all interference, where that was not the case, manifest, I think, a disposition to, and an exercise of, the most rigid neutrality between the parties.

I have the honor to be, with sentiments of the highest consideration and respect, sir, your most obedient servant,

(Signed) JOHN DICK.

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Hæc olim meminisse juvabit.—VIRGIL.

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(C.)

From the secretary of state to George W. Erving.

Department of state, March 11, 1816.

SIR—You will set out in discharge of the duties of your mission to Spain as soon after the receipt of this letter as circumstances will permit. Our relations with that country are, from many causes, be coming daily more and more interesting. They will require your assiduous and zealous attention as soon as you are recognized by the Spanish government.

The restoration of the diplomatic intercourse between the two countries, long interrupted by causes well known to you, presents a favorable opportunity for the settlement of every difference with that power. The president has already manifested his sincere desire to take advantage of it for that purpose, and hopes that the Spanish government cherishes a similar disposition.

The primary causes of difference proceeded from spoliations on their commerce, for which Spain is h ld responsible, the justice of which she admitted by a convention; and from the refusal of the Spanish government to settle, on just principles, the boundaries of Louisiana, and to compensate, on like principles, for the injuries arising from the suppression of the deposite at New-Orleans in breach of the treaty of 1795. The grounds of these differences have been so often discussed, and the justice of our claims so completely established, in the instructions heretofore given, and in communications with the Spanish government, that it is thought unnecessary to enter into them in this letter. Other injuries have likewise been since received from Spain, particularly in the late war with Great Britain, to which it may be proper for you to advert. I shall transmit to you, herewith, such papers relating to our claims, in every instance, as will place their merits in a just light.

In a conversation with Mr. Onis, shortly after the late correspondence with him, he intimated that his government was sincerely desirous of settling these differences, and that it might be willing to cede its claim to territory on the eastern side of the Mississippi in satisfaction of claims and in exchange for territory on the western side. He expressed also a desire that the negociation might take place at Madrid, rather than in this city. It was expected that he had been already furnished with full powers to negociate such a treaty, and it would be more agreeable to conclude it here if he had such powers, or might soon procure them, provided there was any ground to hope an early termination of it. But from the experience we have already had, it may be fairly apprehended that a negociation of it here would lead to very extraordinary delays, which it is wished to avoid.

The president will soon decide on the whole subject, after which you shall be duly instructed of the course to be pursued, and of the measures to be taken. These instructions shall be forwarded to you at Madrid by Mr. Henry B. Smith.

Extract of a letter from the secretary of state to George W. Erving.

Department of state, May 30, 1816.

SIR—To enable you to make the experiment on which the president has again decided to settle our differences with Spain, I enclose a letter of instruction, which, being shown to the Spanish government, will be your authority for the purpose.

As the justice of the claims of the United States, in every instance, has been fully established in former discussions, the documents relating to which are in your possession, I shall not enter into the subject in that view. It can hardly be presumed, that the Spanish government, after what has passed, will be desirous of resuming this discussion. Should such a disposition be manifested those documents will enable you to place the subject in a proper light. I shall proceed, therefore, to state the conditions on which the settlement may now be made.

The United States complained, in 1805, of injuries from Spain—

1st. By spoliations on their commerce.

2d. By the suppression of the deposite at New-Orleans: and

3d. By the refusal of the Spanish government to settle the boundaries of Louisiana on just principles.

Of spoliations there were two classes—the first consisted of seizures made of American vessels by Spanish cruizers—the second of seizures of other of our vessels by French croisers, who carried them into Spanish ports, where they were condemned by French consuls. For the first class, provision was made by a convention between the two governments, at Madrid, bearing date on the 11th of August, 1802, which the Spanish government afterwards refused to ratify. For the second no provision was ever made, though the claim was specially reserved in that convention. The suppression of the deposite at New-Orleans was in direct violation of an article of the treaty of 1795. By the cession of Louisiana, the United States claim, (and, as they think, have proved by a clear title) all the territory lying between the Perdido, on the eastern side of the Mississippi, to the rio Bravo, on the western. They well know that France would have claimed to the same extent, had she not made the cession; though as the French government declined defining the boundaries by the treaty, as was desired, no appeal was made to it by this government, or thought proper, afterwards, respecting them.

Extract of a letter from Mr. Erving to the secretary of state, dated

Madrid, August 29th, 1816.

"Mr. Henry B. Smith arrived at Cadiz on the 26th July, and at Madrid on the 10th instant; by him I received your letters of May 30 and 31, the new cypher, the special power to negociate, and the other papers therein referred to. It was after duly deliberating on those and the several instructions which had preceeded them, that I formed my first note to Mr. Cevallos; this was sent to him on the 26th instant—a copy of it, [No. 6] is herewith submitted."

[No 6.]

Mr. Erving to Mr. Cevallos.

Madrid, August 26, 1816.

SIR—The president is sincerely desirous of establishing the relations of amity between the United States and Spain on a solid basis, and that every obstacle to a permanent good understanding between the two countries should be removed by arrangements honorable and advantageous to both; he does not doubt of finding corresponding dispositions on the part of his catholic majesty; therefore has readily acceded to the particular wishes of his majesty by receiving Mr. Onis, and in the same friendly confidence has ordered me to repair to this court

I am especially instructed to discuss and to settle with your excellency, all the ancient causes or misunderstanding, as well as the questions growing out of the recent occurrences which are of a character unfavorable to the object in view. It is desirable that no matter of future contention or jealousy should remain, to put at hazard or to interrupt the good intelligenee which the United States are always disposed to maintain with Spain, and to al. the advantages of which his majesty's government cannot but be wholly sensible.

In transactions where the parties enter with such dispositions, and such motives to accord, a frank exposition of all the grounds of complaint is at once the most just, and the most judicious course; for to suppress or to smother any of them in condescension to temporary considerations, is but to leave the seeds of future discord and to substitute palliatives and expedients for satisfactory and solid arrangements.

It is proper therefore that I should state distinctly all the points on which the United States seek for redress and indemnity, commencing with those claims which have heretofore been the subject of unsuccessful negociation. I am well persuaded that the whole can now be settled in a manner satisfactory to both parties, and without reviving whatever animosities they may have originally given rise to.

In the present exposition, I may also forbear to enter into the details of the principal subjects to which it refers; because these have for the most part in some form or other, been already brought to the view of the Spanish government; and because your excellency in particular has the most perfect knowledge of them.

The first point to which I must call your attention, is the claim of my government for compensation to its citizens on account of the ravages committed on their commerce previous to the year 1802. This is an object which the United States never has, and never can lose sight of; indeed the justice of the claim has already been admitted by the Spanish government in a convention negociated and signed by your excellency on the 11th August, 1802.—The United States still expect that this claim shall be adjusted upon principles of law and equity, which cannot be called into question by his majesty's government.

In the same manner, the United States expect that compensation will be made for all the injuries done to their commerce, under the authority of the Spanish government, or within its jurisdiction, previous to the date of said convention, not embraced by it, and the claim for which, was especially reserved by that convention; as well as for all similar injuries subsequent to its date.

The suppression of the deposite at New-Orleans in the year 1803, violating the treaty of 1795, forms another claim of great importauer.

Causes of misunderstanding of a later date, and of another character, accumulated principally during the war between the United States and Great Britain; these were of so unfriendly, and in many cases of so violent a nature, as to threaten an immediate and serious rupture between the United States and Spain; but happily, the pacific policy which has uniformly characterized the conduct of the United States towards Spain, was still upheld by considerations highly honorable to the moral character of the American government; considerations growing out of the then unhappy domestic state of the peninsula, and the miseries and disorders to which a most unjust foreign invasion had made it a prey; the American government always trusting that Spain, on the re-establishment of its national independence, and the restoration of regular government and tranquility, would readily attend to the just demands of the United States, and cheerfully embrace their conciliatory proposals.

It will suffice for the present that I mention but succinctly the principal matters above adverted to—these are:

1st. The encouragement which was given by the Spanish authorities in East Florida, to the Indian tribes in Georgia, and generally on the southern frontier, to make war on the United States:

2d. The aid given to them in that war;

3d. The aid afforded to Great Britain by permitting supplies to be sent through East Florida to the Indian tribes; and afterwards, by allowing her to establish a place of arms in that province, for the purpose of encouraging and supporting the Indians in their savage war.

These acts were evident and very important violations of the neutrality which Spain was bound to observe between the belligerents.

Her duties, as a neutral power, were altogether lost sight of, when the United States' frigate "Essex" was attacked in the bay of Valparaiso.

The seizure of American property, and the imprisonment of American citizens, in various modes and under various pretexts, both in the peninsula and in the colonies, afforded unequivocal indications of an unfriendly temper; several of these acts may hereafter require special representations on my part—my present object is to bring them generally to your view. The president relies upon the just sense which his majesty must entertain of the important crisis in our affairs, which such events are of a nature to produce, for the adoption of a policy congenial to the interests of both countries; and the president persuades himself that the same just and amicable disposition will be prompt in affording the satisfaction required for the injuries complained of, and that thus a state of lasting peace and friendly intercourse may be secured between two countries, whose relative situations and interests render that state so peculiarly desirable.

Finally, the questions respecting boundaries, which have heretofore been supposed to offer obstacles to a settlement of other differences, the American government considers as susceptible of amicable adjustment, and I am instructed to treat with your excellency on that subject. I have the honor to be, &c.

GEORGE W. ERVING.

Extract of a letter from Mr. Erving to the secretary of state, dated September 22, 1816.

"I wrote to Mr. Cevallos, on the 13th instant, a note, of which the enclosed paper (No. 2) is a copy, inviting his attention to my note of August 26th; and on the 14th instant I again waited on that minister, for the purpose of again urging him to reply to my said note; he made the same excuses for his delay he had before made.

"On the 15th instant I received from Mr. Cevallos a note of the same date; a copy of it (No. 3) is herewith enclosed; I also submit to you (No. 4) a copy of my reply, of the 19th instant, to that note.

"You will observe, sir, that under the circumstances of this sudden and unexpected determination of the king, as communicated by Mr. Cevallos, I thought it indispensably necessary (and my reasons will, I presume, be obvious to you) that my answer should include all that passed of importance in my intermediate conference with that minister. I sought the interview for the purpose of obtaining, promptly, explanations, which, in the ordinary course of correspondence might not have been given for months, of ascertaining, as nearly as might be, the real views of this government in the measures adopted, and, as far as possible, of fixing Mr. Cevallos in a direct and loyal course; in fine, of forcing our business on, by one mode or another, to a conclusion of some sort. Indeed, it was impossible for me to do any thing more than merely acknowledge the receipt of the note, and to transmit it in course to my government; unless I could learn whether the measure which it proposed, was or was not likely to be acceptable to you; for I have not seen your note of June 10, to which Mr. Cevallos refers, and as the words of his note, "que el citado don Luis *estuviese* autorizado para negociar," are altogether equivocal, and may receive either a past or future construction, I did not feel confident that you had really invited Mr. Onis to send for powers; thus I could not but be apprehensive, that the object of this government, in the measure proposed, was merely to relieve itself from pressure here, to gain time, and indefinitely to procrastinate the settlement of our differences: and this suspicion was strengthened by many collateral considerations.

"You will perceive, sir, that Mr. Cevallos says, in his note, that "correspondent orders" *have been sent* to Mr. Onis, by which I must understand, orders corresponding to the intention of the king to satisfy the president, by conforming to the desire expressed in your note to Mr. Onis, which must be understood to mean full powers; and yet, in conversation, he allowed that such powers had not been sent, and accepted of my proposal to transmit them. However, this apparent discrepance may have been more inadvertency; he may have intended duplicates of his powers: I resort to this supposition, because I have just now been informed, through another channel, that "*full powers*" have been sent to Mr. Onis; how the fact may be, you will be able to ascertain by the date of the powers; if the powers have been sent (unless indeed very lately) it is surprising that Mr. Cevallos did not earlier communicate the measure to me.

"The observations which I made to Mr. Cevallos, as to my own powers to negociate, and my proposal of a special commission; these were intended rather to test his sincerity, than to alter his professed plan. I said only what under circumstances it had been extraordinary to have omitted; my earnestness naturally resulted from the position in which I was placed by the proposed measure, but I refrained from pushing to the extent, of which they were susceptible, what might be considered as my own pretensions; for independent of the doubt in which I was as to the real intention of your note to Mr. Onis, or that out of question, of what might best suit the views of government, my own decided opinion was, that the negociation might be carried on to much greater advantage, and brought to a conclusion much more expeditiously at Washington than here; not only because it would be in much abler hands than my own, but because Mr. Onis is there in a situation to see, and to feel with infinitely more force, than Mr. Cevallos can, in the midst of all his distractions here, the real importance, nay, absolute necessity of a speedy adjustment of our differences. Certainly what fell from the minister tended to strengthen that opinion; and it has been still further confirmed in a subsequent conversation. On the 21st inst. having reason to believe that he did not intend to reply to any part of my note of the 19th, I immediately called on him; I found, in fact, that the measure which he had announced to me, having been definitely determined on by the king, he considered any further correspondence on the matter as altogether superfluous; indeed, that he had but the most superficial, if any, acquaintance with the contents of that note; I then read to him a copy of it, and having urged all the reasons which induced me to wish for his answer, he finally consented to give it—I now wait for that answer."

[No. 2.]

To his excellency don Pedro Cevallos, first minister of state, &c. &c.

Madrid, September 13, 1816.

SIR—It is my indispensable duty again to invite your excellency's attention to my note of August 26th. The importance and the urgency of the matters of which it treats will, I am persuaded, sufficiently explain my earnestness on this occasion: and I most ardently desire that the determinations of his majesty upon it may correspond to the just expectations of the American government, and lead to the establishment of lasting peace and harmony between the two countries.

I renew to your excellency the assurances of my very distinguished consideration. GEORGE W. ERVING.

[No. 3.]

Translation of a letter from Mr. Cevallos to Mr. Erving, dated 15th September, 1816.

SIR—Having laid before the king a note, under date of the 10th June last, addressed by Mr. Monroe to don Louis de Onis, in which he manifests the desire of his government that Mr. Onis should be authorised to negociate with him; his majesty has acceded to it to gratify the president; and I have given the correspondent orders to the said Onis, to the end, that he may immediately enter into negociation with Mr. Monroe, and employ all the means that are within his reach to secure a solid and durable peace and good intelligence between the two nations. I renew, &c. PEDRO CEVALLOS.

[No. 4.]

To his excellency don Pedro Cevallos, first minister of state, &c. &c.

Madrid, Sept. 19, 1816.

SIR—By your excellency's communication of the 15th instant, I learn, that a note of Mr. Monroe, secretary of state of the United States, under date of June 10th, addressed to don Louis de Onis, in which note the desire of the American government is expressed that the said don Louis should be authorised to negociate with it, having been taken into consideration by the king, his majesty, with a view of conforming to the wishes of the president, has acceded to the desire expressed in said note, and *that you have sent the correspondent orders to don Louis, to the end that he may immediately enter into the negociation with Mr. Monroe.*

I received this, your excellency's important communication, on the day of its date, but before finally acknowledging the receipt of it, thought proper to seek, in an interview with you, such explanations as it seemed to require—for that purpose I waited on you on Tuesday, the 17th instant. I predicated what I then said to you, on the supposition, that the American government might not have expressed a particular desire to change the seat of negociation—but that the secretary of state, in the note of June 10th, referred to by your excellency, had but renewed the expression of his regret, that Mr. Onis should continue to urge matters of complaint, on which he had not such full powers to negociate, as he was understood to be in possession of previous to his reception by the president.

As I have the competent authority from my government to treat—am in possession of all the documents necessary to be referred to in whatever discussions may arise;—as your excellency is perfectly versed in all the questions which exist between the two governments:—for these reasons it appeared to me that an arrangement might be made here at Madrid more expeditiously than at Washington. I stated expressly to you that I could in no case be under a necessity of referring to my government for further instructions, requesting at the same time to know whether it was his majesty's intention to place Mr. Onis in a position equally favorable to a speedy adjustment of our differences. I concluded by excusing the warmth with which I pressed the subject, assuring you that I was very far from seeking my personal gratification in this matter of high public interest, but that I looked only to the desired result; and that if this could be obtained more promptly by transferring the negociation to Washington than by pursuing it here, I should sincerely rejoice at the transfer.

In reply to these observations, I understood your excellency to state, that owing to your being actually charged with the business of three ministries, besides the direction of the posts; and to the variety of other occupations incident to your high employ, it was impossible for you to give the time to the affairs to be discussed which would be necessary to a satisfactory and speedy arrangement of them: that Mr. Onis was also fully acquainted with those affairs and was in possession of all the documents relating to them: and though you could not say but that it might be necessary for that minister to consult with his government, yet even the loss of three months' time on such an occasion would not prolong the negociations to the extent which the unavoidable delays here would carry them to.

These reasons urged by your excellency for transferring the seat of negociation to Washington, induced me to propose that his majesty would appoint a special minister or a commission to treat with me. I understood your excellency to reply, that as such minister or commission would be entirely uninformed, and would have every thing to learn on the matters to be discussed, and hence continual necessity of referring to you, this mode could in no wise expedite the result.

On my asking your excellency if full powers and instructions had been already sent to Mr. Onis, I understood you to say that they had not.

I then informed you, that after replying to your communication of the 15th instant, I should prepare to send a gentleman of my legation to the United States with my despatches; and I offered his services to be at the same time bearer of your despatches to Don Luis de Onis; which offer you were pleased to accept.

If I may have made any mistake in this statement of the substance of what passed in the interview which I had the honor of having with your excellency on Tuesday the 17th instant, I beg that your excellency will be so obliging as to correct it.

I have further to request that you will be pleased to inform me whether it is your intention to reply to my notes of 20th August and September 13th, or whether I am to consider your communication of the 15th instant as superceding the necessity of any special reply to those notes.

I have to request, also, that your excellency would enable me to inform my government whether it is his majesty's intention to send "*full powers*" to don Luis de Onis to treat upon *all* the matters in question between the two countries, and whether the instructions to be sent to him will embrace *all* the points adverted to in my above mentioned note of August 26.

As soon as possible after I shall be honored with your reply to this note, I shall send a messenger to my government; he shall wait, however, to be at the same time the bearer of your despatches to Mr. Onis.

I renew to your excellency assurances of very distinguished consideration.

GEO. W. ERVING.

Extract of a letter from Mr. Erving to the secretary of state, dated at Madrid, September 27, 1816

"You will perceive, sir, by my last communications that there is now very little probability that I shall have occasion to use the ample documents with which I have been furnished.—Whatever complaints this government may have to make, these originating in Mr. Onis's reports will of course be sent back to him to bring weight into his negociations. It is equally probable that he may be instructed to answer at Washington to whatever representations I may find it my duty to make here; for it is now perfectly evident that a principal motive with Mr. Cevallos in removing the negociation to Washington, has been to get rid altogether of the weight and trouble of it here, and of whatever belongs to, or may any how be comprised in it. I hope that this was his only motive.

I see with satisfaction that your note of June 10, to Mr. Onis, does not admit of any other construction than that which I conjecturally gave to it in my conversation with Mr. Cevallos. It is very evident too by Mr. Onis' reply of July 3d, that he has not misunderstood you; after this, is it to be imagined that Mr. Cevallos has fallen into a misconception? Certainly not. I presume then, sir, that you will approve of my determination not to make any attempt to alter his plan; and that you will agree with me in opinion that the only chance of accommodation with this government is by negociation at Washington."

Extract of a letter from Mr. Erving to the secretary of state, dated 8th of Oct. 1816.

"In my despatch, No. 18, I mentioned that Mr. Cevallos, in conversation on the 21st of September, had promised to answer my note to him of September 19th. He was afterwards, for several days, so wholly occupied with the marriage ceremonies that not the least attention to any other kind of business could be expected; but these terminated, on the 3d inst. I wrote to him unofficially a note, of which the enclosed paper (No. 1.) is a copy; and on the 5th I again waited on him to press him for the answer which he had promised. On this occasion I observed to him that since, by his note of the 15th September, he had not assigned any sufficient motive for the determination of his majesty to transfer the negociations to Washington, it had been incumbent on me to ascertain what they might be, and so submit them to my government.

It was with this intent that I had sought the interview of September 17th, and had stated the substance of our conversation in my note to him of the 19th, which with his reply would be sufficient for my purpose. That without explanation, the mere notification of his majesty's determination, contained in his excellency's note, would have a very extraordinary appearance to say the least; my government had sent me with powers and instructions to negociate; I had opened the matters to be treated on, and waited several weeks for an answer, when I was told his majesty had determined to empower Mr. Onis. Under such circumstances must it not be concluded, either that the Spanish government by this measure sought to avoid or to delay an arrangement, or that it had some personal objection to myself? Hence the necessity of an explanation. Mr. Cevallos answered that the motives to the measure were what he had before assigned, and that I must not allow myself to imagine that either the king or himself had the least objection personal to me; on the contrary, it would give Mr. Cevallos peculiar pleasure to settle the business with me, if it were possible for him to attend to it; finally, that since I considered it important that my note should be answered, I should have the answer forthwith.

Yesterday, the 7th, I received the note of the same date of which the enclosed paper, No. 2, is a copy. In this you observe sir, that Mr. Cevallos speaks of "*full powers*" to Mr. Onis, and the object in sending them to be the more *expeditious termination* of existing questions. In conversation, Mr. Cevallos told me, that the instructions to Mr. Onis, would comprise *all* the matters mentioned in my note of August 26th; but he has not thought proper in this last communication, to reply specially to the question put on that subject, in my note of 19th ultimo; indeed it was impossible for him to answer that note, and say less than he he has done; he seems to have written, merely to get rid of importunity, by tranquilizing what he supposes to be my personal apprehensions.

My despatches, (Nos. 18, 19 and 20) will accompany this, as well as those of the Spanish government for Mr. Onis, which are to be ready within a few days. Considering the peculiar importance of these communications, I have concluded to send them by Mr. Brent to the port of Bordeaux, from whence it seems to be more probable that a speedy conveyance for the United States will be found, than either from Cadiz or Lisbon. Mr. Brent will proceed to the United States, if he should find a suitable vessel bound home. On account of the lateness of the season, I have thought it right to leave this point to his own discretion, instructing him, however, to make the voyage, (in whatever vessel,) unless he should find at Bordeaux some American going to the United States, under whose care he shall consider the despatches to be as perfectly secure as under his own.

I beg leave, on this occasion, to express to you my particular satisfaction with the services of Mr. Brent, who unites in his character all the qualities which make a man of business, and a valuable public officer.

Translation of a letter from Mr. Cevallos to Mr. Erving, dated 7th October, 1816.

SIR—In answer to your note of the 19th of the last month I have to say to you, that the determination of the king that a full power should be sent to don Luis de Onis, proceeds from the desire of sooner terminating the pending disputes, and that it is unconnected with any personal considerations.

I renew to you, &c.

(Signed) PEDRO CEVALLOS.

Erratum.—The following error is in the printed documents, from which we copied. In page 25, in the 10th line of the last paragraph of Mr. Onis' letter of February 21, the words "*object of the*" should be inserted, so as to read "*cannot accomplish the object of the one or the other.*"

Constitutional principles.

President Madison's rejection of the bill that lately passed both houses of congress to appropriate the bonus, &c. of the United States Bank to internal improvements, such as roads and canals—has been highly commended by some, and as severely reprehended by others. The details of this bill were objected to by many who deemed it to be constitutional—on the ground that a fund, capable of accomplishing splendid *national* objects, might there by be squandered in pieces of *patch-work*; "here a little and there a little," without perfecting any thing of importance. But it was not on this account that the president refused his sanction to it—he considered it unconstitutional in its principle, and here the matter rests. It is not probable that any bill of the sort will hereafter become a law of the United States, unless the powers of congress are enlarged by an amendment of the constitution.

Without having examined the constitutionality of that bill—and, if we had, perhaps, without feeling ourselves competent to decide upon it—we supposed that it was in accordance with the principles of the national compact, from the frequent recommendations of such subjects to congress by the several presidents of the United States, and from the able report of Mr. Gallatin, while secretary of the treasury, on roads and canals; and we knew that the general government was making the *Cumberland road*. We, therefore, felt surprised at its rejection, and were induced to examine some of our presidents' messages to see how far they agreed with this act of Mr. Madison. The following extracts immediately bear on the subject:

Extract from Mr. Jefferson's message to congress, at the opening of the session, December 2, 1806.

"Their patriotism [that of the people of the United States] would certainly prefer its [the duty on imports] continuance, and application to the great purposes of public education, roads, rivers and canals, and such other objects of public improvement *as it may be thought proper to add to the constitutional enumeration of federal powers*," &c.

[He then suggests an amendment to the constitution for the purposes just stated.]

Extracts from Mr. Madison's message of December 3, 1816, on opening the session of congress.

"The importance which I have attached to the establishment of a UNIVERSITY *within this district* on a scale, and for objects worthy the American nation, induces me to renew my recommendation of it to the favorable consideration of congress"——

——"And I particularly invite their attention to the expediency of exercising their existing powers, *and where necessary of resorting to the prescribed mode of enlarging them, in order to effectuate a comprehensive system of roads and canals*," &c.

[A similar opinion, of the want of constitutional power to make roads and canals, is expressed in his message of December 5, 1815.]

From these extracts it certainly appears, that the rejection of the "bonus bill," by Mr. *Madison*, entirely agrees with the former opinions of that gentleman, and with those of his predecessor in office.

As to the *Cumberland Road*—In the act of congress, passed April 30, 1802, establishing the state of *Ohio*, it is provided that a certain part of the proceeds of the sales of land in that state shall be applied to the making of public roads, leading from the navigable waters emptying into the Atlantic to the Ohio, to the said state, and through the same; such roads to be laid out under the authority of congress, with the consent of the several states through which they shall pass, &c. The "Cumberland Road" is, therefore, a matter of special agreement between the general government and the people of the state of Ohio.

There is something very melancholy in the idea that no great *national* work of internal improvement can be effected by the broad patronage of the government of the United States; which, superior to local views and commanding such ample means, might accomplish things to mark the age and claim the admiration and gratitude of posterity. But such is the fact—at least in the opinion of the two last presidents, whose talents as statesmen must be respected—that the constitution must be amended before any work of the kind can be done. We do not despair, however, of seeing the constitution so amended as to meet these views of it; and the "bonus bill," though rejected, may be the happy cause of it. Many were under the impression that Mr. Madison, in the rejection of that bill, had acted inconsistent with his former recommendations of such subjects; this is easily accounted for—they recollected the great points of the fact, but forgot the *condition* on which those points rested.

A like diversity of opinion has existed, and yet exists, as to the power of congress to establish a *national bank*. No such power is expressly delegated, and the powers not delegated are reserved to the states respectively, or to the people. But congress have power "to provide for the general welfare," which, we humbly believe, would be much better promoted by roads and canals than it will be by the establishment of that bank.——"Time proves all things:"—if such an engine as that is had been in the hands of those who endeavored to bankrupt the United States in the late war, and who, with their comparatively small means, really did so much to depress the public credit—what would have been the consequence? Might they not have stopped—and would they not have stopped, if they could—"the wheels of the government?" On the other hand, if the government had retained more power in the direction of the affairs of this institution, it might be used to persecute and ruin the state banks, and individuals, whose *political* sentiments should not be considered orthodox. *What has happened may happen again.*

That congress has power to establish a *national university*, within the district of Columbia, is fairly *presumed* from their right to make all laws relating to it—it may, however, be questioned whether the *public money* can be appropriated for it. Some may esteem it impudent in *me* to express an opinion in opposition to the often-repeated and very earnest recommendations of *Washington*, *Adams*, *Jefferson* and *Madison*, in favor of a national university: But, although I may respect the opinions of these to a degree bordering upon veneration, I feel that I have a right and a *duty*, not only to think for myself, but also to express my thoughts freely, upon any subject that I please; and have no hesitation in declaring an opposition to such an establishment, *at the seat of the national government;* a government constituted, at present, very much to my wishes, but which, I seriously desire, may never have any other influence over the people than properly attaches to it by its virtue. In time of war, or seasons of danger, when threatened by enemies *without*, or traitors *within*, I hold it right to bolster the administration of a *free* country to the utmost of our power, and in every way possible to support it, the same not being inconsistent with moral rectitude: but in a settled state of things—in a condition of society calculated to be permanent, I esteem it not less correct to watch the governing authority, and to retain in the hands of the people every method of reforming its errors, if any should unhappily creep in. In the emphatic language of Mr. *Jefferson*, "we have not found angels in the form of men to govern us," and, until this comes to pass, I trust that all the great powers of government, or, at least, the power of changing the governors, will remain *undiminished* to the citizens of this republic. I am unwilling that government should have any thing to do with the *education of the youth;* for on this, more than any thing else, depends the liberties of the country. It is better to leave it to the people at large, or to the states, if the latter please to take it up—and then, by *rival* institutions, the public will be better served; and each institution, emulous of reputation and depending for existence on the number of its students, will be zealous to conduct its affairs as—they ought to be conducted; and if any are silly enough to indulge in *political* dogmas that the people are opposed to, they will fall to the ground! But there are many and very powerful arguments in favor of a national establishment. Among them, it may be said, that it would command the best talents of the country, and might produce an uniformity of sentiment and of action by the uniformity of the instruction received and the early friendships formed thereat. But would even these be really advantageous? Would it be expedient to collect the rays of light to a point, and leave all out of its focus in darkness and solitude, seeing that few, and only the sons of the *very* wealthy, could be benefitted by it? Shall we enlighten one at the expence of a thousand; and imitate, in this respect, the policy of Great Britain—who, to pamper a man beyond human wants, packs off five or ten thousand others, as good as he is, to the *poor house, to make room for him?* It may reasonably be calculated that the grants and annuities to the duke of *Wellington*, over and beyond the pay received as field marshal, &c. have added, at least, 10,000 souls to the stock of paupers, and the money *given* to him is of many times the amount of all the subscriptions for the relief of the poor, about which there has been such

loud trumpetings.* And how great would be the evil of an uniformity of sentiment, if that sentiment, among the rich and the learned, should happen to be erroneous—for neither the professors of universities, nor those educated by them, are more likely to be "angels" than other persons; indeed, from "feeling power," they are more apt to forget that they are *men* The best fastening of these states is a *community of interests*, in all their parts, for private friendship might grant what *public good* would refuse. The doors of this university would be virtually closed to all but the sons of the great, ready enough to play the part of aristocrats without being led to it by early pre-eminence. Nor would all, even of such, have a chance of being educated there—there must be some limit to the number of students, and a preference may easily be supposed, if the applicants should exceed the number allowed to be received. Take a case that now exists—we have never heard it most remotely insinuated that *politics* have had any thing to do with the nomination of cadets, to be educated at the public expence at the military academy at *West Point;* but many have complained that whilst some are able to get births in it for *two* of their sons, that others plead for a single child in vain. The number is fixed—all that are applied for cannot be accepted, and personal favor and personal feelings must be supposed to give a preference. This is natural—it is the result of the common law that governs the actions of men, and can hardly be avoided. It is understood that there are many applicants, from all parts of the union, for situations in this academy, where the whole number of students is about 250—yet of these nearly *one-tenth* are from the *District of Columbia!*

Thus, and to a much more ruinous extent it might be if we had a national university; which would also, in my opinion, have a destructive tendency on the present equality that exists among the people, by rearing up certain persons, as it were, to be governors of the rest; and just fears might also be entertained of its becoming a chief seat of immorality and political corruption. *Seats of government*, from that of the meanest county to that of the most powerful nation, are not the places best calculated to inspire the youth with virtuous sentiments—they are calculated rather to make *cunning* men than honest men, and early impressions are the most lasting. This establishment would probably send forth some few of splendid talents, at the cost of the many: I prefer the interest of the many to that of the few. *Franklins* and *Rittenhouses* will work their way to eminence without it, as *Brown* and *Jackson* "hewed a path to fame" without having studied at the military academy; which, however, is an institution that ought to be zealously supported as a seeding place for accomplished soldiers. Let us profit by experience—we have heard it frequently stated, and from the very nature of things are inclined to believe it, that the private colleges of *England* are far more productive of learned men, and eminently more so of useful citizens, than the national universities of Oxford and Cambridge, where the professors, rolling in fat and independent of the people, are indolent and careless. It is the great business in monarchies first to grasp the mind of youth, at school, through the fear of corporal punishment, and then enchain it by a pensioned priesthood, holding up eternal torments for those who doubt the divine rights of kings; who are as much indebted to these manœuvres for their crowns as to the bayonets at their command, and perhaps more so. I do not want political schools, political priests or servile bayonets to be called in to support the government of the United States—yet I should like to see a set of *school-books* compiled, which, without reference to our parties, should excite a love for the constitutional principles of the republic, to supercede the kingly stuff that was handed to us while colonists and subjects of England, yet used in so many of our seminaries of learning. It will be recollected that the famous Illuminati proposed, as the only sure means of effecting their purposes, to obtain situations as instructors of youth—they were charged with a design of overturning the old monarchies, and their power, at one time, was reported to be very formidable:—there was no objection to their project because of its laudable end; but the fact shews us that it is safest to deposit the power of employing tutors in the hands of the people at large—making them chiefly dependent on their own good conduct for success and profit in it.

These are the outlines of my objections to a *national university*—but the subject is of a nature to command talents infinitely superior to any that I have to bestow upon it.

On the whole, then, I conclude—that if it is constitutional to establish a national bank and found a national university, and unconstitutional to make roads and dig canals, that it would be much better for the people to recal the power delegated for the first and second and grant it for the third, than to let the matter rest as it now is. The latter would assist honest industry in its struggle to arrive at independence—the others seem particularly designed to make the rich richer and the poor poorer; the immediate advantages of them being secured to the wealthy. Riches are apt enough to grow into luxury, and luxury into despotism, without such aids.

It is the *alpha* and the *omega* of my politics, in the language of the late venerable *Dickinson*, "THAT AN ARMED PEOPLE AND AN UNARMED MAGISTRACY, IS THE BEST SECURITY FOR FREEDOM." Let every species of power and influence remain where it rightfully belongs.

*The duke of Wellington is said to be worth a million of pounds sterling, and, perhaps, much more. Say a million. The interest of this, at 6 per cent. per annum is 60,000£., which is paid by British labor. [See last number of the Register.] If the family of a poor man consists of five persons, it would give 30£. or 133 dollars a year for the support of 2,000 families, or 10,000 persons. Herein we easily see, when we consider how the people of England are overburthened, that the building up of the fortune of this man must have made, at least, 10,000 tenants for the poor houses. The weight of a feather may break a horse's back. *These grants are independent of his pay and emoluments of office.*

Shipping and commerce.

In the last volume, page 353, we presented an interesting view of the commerce, &c. of several ports, to which the following is an interesting appendage:

PORT OF SAVANNAH.

A list of vessels which have entered, and cleared from the port of Savannah, from the 1st of October 1816, to the 28th of February, 1817:

ARRIVED.			CLEARED.		
Ships (foreign voy.)	19		Ships (foreign)	16	
Brigs do.	52		Brigs do.	47	
Schooners do.	28		Schooners do.	22	
Sloops do.	6		Sloops do.	6	
		—105			— 91

Ships (coastwise)	51		Ships (coastwise)	14	
Brigs do.	85		Brigs do.	48	
Schooners do.	44		Schooners do.	38	
Sloops do.	66		Sloops do.	50	
	—247			—150	
	352	*cleared*		241	
		arrived		352	
Total, exclusive of coasters, which are not obliged to clear from the custom-house					593

NEW ORLEANS.

For the year ending December 31, 1816.

Entered from Alexandria 1; Baltimore 20; Bath 1; Boston 26; Charleston 7; Kennebunk 3; New-Bedford 1; Newburyport 7; New London 1; New-Orleans, new built, 3; New-York 67; Perth Amboy 1; Philadelphia 33; Portland 2; Portsmouth 8; Providence, R I. 3; Salem 4; Savannah 2; Bristol 1; Gibraltar 1; Glasgow 1; Greenock 2; Isle of May 1; Liverpool 26; London 4; Jamaica 11; N. Providence 10; Surinam 1; Trinidad 1; Bordeaux 17; Havre de Grace 8; Marseilles 6; Nantz 5; Martinique 4; St. Domingo 8; Apalachicola 1; Barracoa 1; Barcelona 1; Bilboa 1; Cadiz 2; Campeachy 13; Havana 26; Laguira 4; Malaga 1; Pensacola 4; Porto Rico 2; St. Jago de Cuba 10; Santa Martha 1; Spanish Independent America 5; Tabaseo 1; Tampica 5; Vera Cruz 2; Amsterdam 1; Middleborough, Ostend 1; Lisbon 1; Madeira 1; Hamburg 3; Bremen 2.

Total of vessels entered 387, of which 139 ships; 162 brigs; 69 schooners; 17 sloops; giving a total tonnage of 79485.

Cleared to Alexandria 1; Baltimore 14; Boston 14; Charleston 6; Mobile 1; New-York 43; Norfolk 1; Philadelphia 16; Salem 1; Savannah 1; Barbadoes 1; Cowes 1; Falmouth 5; Gibraltar 11; Greenock 3; Guernsey 1; Liverpool 31; London 1; Portsmouth 1; Honduras 1; Jamaica 2; New Providence 8; Bordeaux 18; Havre de Grace 9; Marseilles 3; Nantz 5; Martinique 1; St. Domingo 7; Barracoa 1; Cadiz 6; Campeachy 14; Havanna 30; Laguira 3; Porto Rico 6; St. Jago de Cuba 8; Tampica 1; Vera Cruz 13; Amsterdam 1; Antwerp 1; Flushing 1; Lisbon 4; Stockholm 1; Bremen 4; Hamburgh 4; Bergen 1

Total of vessels cleared, 312, of which 117 ships; 122 brigs; 56 schooners, 37 sloops; giving a total tonnage 59033.

937 vessels of all denominations departed within the expired year from the Bayou St. John, a port of delivery in the district of Mississippi; the tonnage of these vessels is calculated at 16,000; they are chiefly employed in carrying the produce of that part of the Floridas belonging to the United States, consisting in barks, coals, cotton, corn, furs, hides; pitch, planks, rosin, skins, tar, timber, turpentine, sand, shells, lime, &c.

594 flat bottomed boats and 300 barges have arrived within the expired year from the western states and territories, with the following articles of produce viz:—Apples 4253 bbls; bacon and hams 13000 cwt. bagging 2579 pieces; beef 2459 bbls. beer 439 do. butter 509 do. candles 358 boxes; cheese 30 cwt. cider 646 bbls. cordage 400 cwt. cordage bailing 4798 coils; corn 13775 bushels; corn meal 1075 bbls. cotton 37371 bales; flaxseed oil 85 bbls. flour 97419 do; ginseng 957 do; hay 356 bundles; hemp yarns 1095 reels; hides 5000; hogs 500; horses 375; lead 5500 cwt. white lead 188 bbls. linens, coarse 2500 pieces; lard 2458 bbls. oats 4065 bushels; paper 750 reams; peltries 2450 packs; pork 9725 bbls; potatoes 3750 bushels; powder, gun 294 bbls. salt petre 175 cwt. soap 1538 boxes; tallow 160 cwt. tobacco 7282 hhds. do. manufactured 711 bbls. do. carrots 8200; whiskey 320,000 gallons; bear skins 2000. Besides a quantity of horned cattle, castings, grind stones, indigo, muskets, merchandize, pacan nuts, peas, beans, &c.

The schedule of the above produce is independent of what is called Lower Louisiana, consisting of cotton, corn, indigo, molasses, masts and spars, planks, gunpowder, rice, sugar, shingles, soap, taffia, tallow, timber, bees wax, &c. which are generally brought to market in planters crafts, or taken from off the plantation by foreign bound vessels.

CANADIAN EXPORTS AND IMPORTS.

Exports for the year 1816, *from Quebec.*

Lumber, furs, ashes (70,609 cwt.) with small quantities of grain, flour and provisions, in all having an official value of £480,000 or $1,920,000.—This amount is said to be 140,000*l.* greater than it was last year, principally owing to the export of ashes, about one half of which is from the United States. The export of furs has been very much diminished, owing to the *war* between the north west and Hudson bay companies.

Imports, for 1816, *at Quebec.*

Dry goods, official value, £1,556,296. Wines 300,000 galls. rum 1,092,500; brandy 31,600; gin 30,100; whiskey 107,745; molasses 135,241. Sugar, refined 438,675 lbs. Muscovado, 1,809,422; coffee, 335,441; tobacco, 46,562; tea 218,969. Salt 219,826 minots, &c. &c. making a total official value of £2,174,796, equal to $8,699,184—leaving an apparent balance against the colony of about $6,500,000.

WESTERN COMMERCE.

Cincinnati, March 7.—Came to anchor off this place on Monday morning last, the fine brig *Cincinnatus*, 170 tons burthen, from the ship yard at Columbia, where she was built.

This beautiful vessel, in the elegance of her model and workmanship, probably surpasses any vessel heretofore built on the Ohio; she is pronounced by seafaring men (of whom by the by we are not destitute, although *our port* is situated some sixteen hundred miles from the sea) a handsome specimen of the art of ship building. She is now receiving her cargo and will sail in all next week, *wind* and *tide* permitting, for Boston.

The moderate weather of the last ten or fifteen days has wrought a very great change in the appearance of our wharves. Previous to that time, every species of craft was locked up by the ice, exposed to imminent danger, or had sought shelter in some friendly inlet or mouth of a creek. Since the opening of the river, our shores afford a most interesting appearance—crowded with almost every species of vessels, from the brig down to the ordinary flat boat; all bustle and activity, loading and preparing to improve the opportunity of descending the river on a good tide.

The following vessels have sailed within the last week for New Orleans, with cargoes principally of pork and flour, besides a number of flat boats.

The barge Expedition, of 80 tons, on Saturday, William Adams, master—owners Jeremiah Reeder and Adam Moore.

The barge Adventurer, 60 tons, on Tuesday—600 barrels flour, owners James W. Byrne and co.

The barge Cincinnati, 120 tons, on Thursday, Jonathan Horton, master—1300 barrels pork and flour, owners J. and W. Teatman.

Other similar vessels are preparing and will sail in a short time.

The steam boat Ætna left Natchez on the 7th ult. with a heavy cargo from New-Orleans, bound to

Louisville. The Franklin passed Natchez about the same time for New Orleans.

COTTON AND ASHES.

Commercial letters from Liverpool (says the Boston Daily Advertiser) to Jan. 7th, contain a variety of statements of imports there, and at other ports of the kingdom during the year 1816, compared with those of the preceeding years: The following are some of the results exhibited by these statements,

Imports of cotton for the last six years.

	American	N. Orleans	Liverpool	G. Britain
1811	72,653	24,749	171,428	324.724
1812	62,701	16,827	171,774	260,168
1813	14,174	2,988	141,666	250,430
1814	39,624		181,773	288,024
1815	129,410	31,343	271,087	373,500
1816	125,387	17,435	276,525	373,656

The two first columns give the number of bags of the several kinds specified, imported at Liverpool. The third column gives the total imported at Liverpool, and the fourth imported in the kingdom. The imports from India, at Liverpool in 1815, 1484 bags—in 1816, 12,414 bags.

The imports of ashes at Liverpool, during the last three years have been as follows.

	1814	1815	1816
Bbls.	4,400	18,000	27,000

of which, in 1816, 20,670 barrels were from the United States, 9900 from Montreal, and 470 from the Baltic. The quantity on hand on the 1st of January, was 9000 barrels. The stock of cotton remaining 50,000 bags. The weekly consumption about 5500 bags.

BALTIC TRADE.

Elsineur, Jan. 4.—Last year there passed the Sound, 8871 ships, among which were, from the north sea, 1097 Swedish, 408 Danish, 396 Norwegian, 208 Russian, 525 Prussian, 942 English, 83 American, 8 French, &c. and from the Baltic, 906 English, 85 American, 8 French, 4 Spanish, 23 Portuguese, &c.

AMSTERDAM.

In 1816, no less than 2563 vessels of various tonnage, arrived at the port of Amsterdam.

Law of the United States.

An act to provide for the redemption of the public debt.

Be it enacted by the senate and house of representatives of the United States of America, in congress assembled, That so much of any act or acts of congress as makes appropriations for the purchase or reimbursement of the principal, or for the payment of the interest of the funded debt of the United States be, and the same is hereby repealed.

Sec. 2. *And be it further enacted,* That from the proceeds of the duties on merchandise imported and on the tonnage of vessels, and from the proceeds of the internal duties, and of the sales of western lands, now belonging, or which may hereafter belong to the United States, the annual sum of ten millions of dollars be, and the same is yearly appropriated to the sinking fund; and the said sum is hereby declared to be vested in the commissioners of the sinking fund in the same manner as the moneys heretofore appropriated to the said fund, to be applied by the said commissioners to the payment of the interest and charges, and to the reimbursement or purchase of the principal of the public debt: and it shall be the duty of the secretary of the treasury annually to cause to be paid to the commissioners of the sinking fund, the said sum of ten millions of dollars in such payments, and at such times in each year as the situation of the treasury will best admit. *Provided,* That all such payments as may necessary to enable the said commissioners to discharge or reimburse any demands against the United States, on account of the principal or interest of the debt which shall be actually due in conformity to the engagements of the said United States, shall (may) be made at such times in each year as shall enable said commissioners faithfully and punctually to comply with such engagement. *Provided also,* That any money which may have been paid before the passage of this act, to the commissioners of the sinking fund for the year one thousand eight hundred and seventeen, as a part of the annual appropriation heretofore made by law to that fund, shall be held to be a payment for the year one thousand eight hundred and seventeen, on account of the appropridtion of ten millions, herinbefore directed.

Sec. 3. *And be it further enacted,* That in addition to the sum of ten millions of dollars, hereinbefore annually appropriated to the sinking fund, there shall be appropriated for the year one thousand eight hundred and seventeen, to the sinking fund, the further sum of nine millions of dollars, to be paid out of any moneys in the treasury, not otherwise appropiated, at such time within the year, as the secretary of the treasury shall deem most conducive to the public interest; to be applied by the commisssioners of the sinking fund, to the purchase or redemption of the public debt, and it shall be lawful for the secretary of the treasury, at any time during the year one thousand eight hundred and seventeen, if he shall deem it expedient to do so, to cause to be paid to the commissioners of the sinking fund a further sum not exceeding four millions of dollars; which shall be considered as an advance to that amount, on the appropriation of ten millions payable in the next year, and the said amount shall also be applied by the said commissioners, to the purchase, or redemption of the public debt, and the commissioners aforesaid are authorised and directed to apply the sums by this act appropriated to the purchase and redemption of the public debt, holden by the bank of the United States, if not otherwise to be obtained on the terms stated in this act.

Sec. 4. *And be it further enacted,* That after the year one thousand eight hundred and seventeen, whenever there shall be, at any time after an adjournment of congress, in any year, a surplus of money in the treasury, above the sums appropriated for the service of such year, the payment of which to the commissioners of the sinking fund will yet leave in the treasury at the end of the year, a balance equal to two millions of dollars, then such surplus shall be, and the same is hereby appropriated to the sinking fund, to be paid at such times as the situation of the treasury will best permit; and shall be applied by the commissioners thereof, to the purchase, or redemption of the public debt.

Sec. 5. *And be it further enacted,* That whenever, in any year, there shall be a surplus in the sinking fund, beyond the amount of interest and principal, which may be actually due and payable by the United States, in such year, in conformity with their engagements, the commissioners of the sinking fund shall be and they are hereby, authorised with the approbation of the president of the United States, to purchase the debt of the United States, at its market price, if such price shall not exceed the following rates, viz. for stock of the United States, bearing an interest of three per centum per annum, there shall not be paid more than sixty five dollars

for every hundred dollars of the principal thereof; for stock bearing an annual interest of six per centum per annum, there shall not be paid more than the par or true value thereof; and for stock bearing an annual interest of seven per centum, there shall not be paid an advance above the par value thereof, which shall exceed for every hundred dollars of stock, the computed value of an annuity of one dollar for a number of years, equally to that during which the stock so purchased will not be reimbursable at the pleasure of the government, estimating, in such computation, the interest of money at six per centum per annum.

Sec 6. *And be it further enacted*, that all certificates of public debt which by payment or purchase have become, or hereafter shall become the property of the United States shall be cancelled or destroyed, at such time and under such regulations and securities as the commissioners of the sinking fund, with the approbation of the president, shall establish and determine. And no interest shall be considered as accruing and no further payment shall be made on account of such debt, the certificates of which have been so cancelled and destroyed.

Sec. 7. *And be it further enacted*, That nothing in this act contained shall be construed to prevent the congress of the United States, if war shall occur with any foreign power, from applying, to any object of public service, any surplus of the amount herein appropriated to the sinking fund, which may be left in any year after paying the interest and principal which may be actually due and payable by the United States in conformity with their engagements. Nor shall any thing in this act be construed to repeal, alter, or affect, any of the provisions of any former act, pledging the faith of the United States, to the payment of the interest or principal of the public debt, but all such payments shall continue to be made at the time heretofore prescribed by law, excepting only as before provided, that no payments shall be made on certificates which have become the property of the United States.

H. CLAY
Speaker of the house of representatives.
JOHN GAILLARD,
President of the senate, pro tempore.
March 3, 1817.—Approved
JAMES MADISON.

Claims for property destroyed, &c.

IN SENATE OF THE UNITED STATES—FEB. 27, 1817

The committee of claims to whom has been referred the petition of William B. Stokes,

REPORT—That the petitioner was owner of a house in the town of Havre de Grace, in the state of Maryland, when the British detachment arrived at that place in May, 1813, at which time it was destroyed by them.

The petitioner represents his said house as of the value of $7,500. The evidence laid before the committee, appears to have beeen taken under commissions issued by Richard Bland Lee. It is set forth in the deposition of John C. Ridgely, a lieutenant of dragoons, at said time in the service of the United States, that on the Saturday before the British arrived at Havre de Grace, he reached there with a detachment of dragoons in pursuit of deserters, and asked for quarters. Mrs. Sears who keeps the house of Mr. Stokes as a tavern, objected, but he insisted and did quarter there from Saturday until Monday, when the British landed, and at that time had two deserters under guard in the said house. Subsequently he bore a flag to the enemy and remonstrated against the destruction of said house and was answered that it was a *military depot*. Abraham Garret another witness examined, swears that he accompanied the flag, and on remonstrating against the conduct of the British in burning the town, he was told by the admiral that *many of the houses burnt were occupied for military purposes;* that it was his determination to burn every house occupied for military purposes, &c.

The deposition of Ridgely and Garret, are those only that go to touch the cause of the burning, and all they state amounts to no more than this was the vague excuse of a vindictive freebooter for a disgraceful outrage on the usages of civilized warfare. The detachment of cavalry, it appears, were evidently sojourned in a public house over the Sabbath only, that they were there as persons passing casually, not in a military station, nor exercising any control over the house. The attempt to establish a military occupancy from the presence of militia, is still more objectionable, as they were, it is believed, only the local militia present, and many of them residents. That a British admiral committing acts of the most flagitious desolation should, when earnestly expostulated with against it, offer some pretence of justification at the expence of candor and truth, was to be expected—it was pefectly in character. But the committee think it would be erroneous to admit such authority, to establish the fact of public occupancy. Mr. Garret says, that many of the houses were alleged by the enemy to be occupied for military purposes. This would seem to convey the idea, that Mrs. Sears' house was the strongest case, and that others are considered as eligible to allowance even on slighter pretences. Some, however, it is admitted, have been burnt wantonly.

The whole transaction, the committee have no doubt, was of the most lawless character, and they cannot admit for a moment that this flagitiously incendiary act, should be at all palliated by the admission of such evidence, to sanction it as an act of excusable warfare.

The committee believe this to be the first claim of a similar nature, presented for the decision of congress; and they apprehend that the extent in which like claims may be made, gives to the decision that may now be had an importance that does not belong to the value claimed. While they regret an enemy styling themselves Christians, could commit acts of such aggravated turpitude, and that their fellow citizens have been made the victims of such heinous depravity, they cannot feel the obligation on the government to make indemnity, nor discover any practical principle of justice that would allow it. They submit respectfully the following, to wit;

Resolved, That the prayer of the petitioner ought *not* to be granted.

Memorial of the Peace Society.

To the honorable the senate and house of representatives of the United States, in congress assembled,

The memorial of the members of the Peace Society of Massachusetts, respectfully represents:—

That the society which now solicits the attention of our national rulers, was instituted for the single purpose of diffusing pacific and benevolent sentiments through this country, and through the world. Impressed with a deep and sorrowful conviction that the spirit of christisnity, which is a spirit of mercy, peace and kind affection, is imperfectly understood; afflicted by the accumulating miseries and extensive desolations which war has lately

spread over the fairest, most fruitful, and most enlightened regions of the earth; and at the same time encouraged by many decisive proofs of the revival of purer, and more benevolent principles among christian nations, your memorialists have formed this association, with the solemn and deliberate purpose of co-operating with the philanthropists of every country, in promoting the cause of peace and charity; in stripping war of its false glory, and in uniting different communities in the bonds of amity and mutual good will. We are sensible that from the nature of our object, it is chiefly to be accomplished by a silent and gradual influence on the minds of men and accordingly we have limited our operations to the circulation of useful treatises, in which, the pacific spirit of our religion has been exhibited with clearness, and we hope with success. We believe, however, the present moment demands a departure from our usual course, and we cherish the hope, that by an application to the government under which we live, important service may be rendered to the cause of humanity, in which we are engaged.

The present memorial is founded on two occurrences, which we hail as auspicious to the pacification of the world. The first occurrence to which we refer, is the well known and unprecedented union of several of the most illustrious powers of Europe, in declaring before "the universe their unwavering determination to adopt, for the only rule of their conduct, both in the administration of their respective states, and in their political relations with every other government, the precepts of christianity, the precepts of justice, of charity, and of peace."

The second occurrence to which we refer, is the decided expression of pacific sentiments and anticipations in the conclusion of the late message of the president of the United States, in which his parting wishes for his country are expressed with tenderness and power. In this remarkable passage, worthy the chief magistrate of a christian community, he expresses his conviction that "the destined career of his country will exhibit a government, which, whilst it refines its domestic code from every ingredient not congenial with the precepts of an enlightened age, and the sentiments of a virtuous people, seeks, by appeals to reason, and by its liberal examples, to infuse into the law which governs the civilized world, a spirit which may diminish the frequency, or circumscribe the calamities of war, and meliorate the social and beneficent relations of peace; a government, in a word, whose conduct, within and without, may bespeak the most noble of all ambitions, that of promoting peace on earth, and good will to man."

On the recurrences now stated, your memorialists respectfully beg leave to found the following suggestions and solicitations:

First—We respectfully solicit, if it be consistent with the principles of the constitution, that the solemn profession of pacific principles, lately made by several distinguished sovereigns of Europe, may be met by corresponding professions on the part of our own government. Whilst we are sensible that a melancholy discordance has often existed between the language and the conduct of rulers, we still believe that the solemn assertion of great and important principles, by men of distinguished rank and influence, has a beneficial operation on society, by giving to these principles an increased authority over the consciences of those by whom they are professed; by reviving and diffusing a reverence for them in the community, and by thus exalting the standard of *public opinion*, that invisible sovereign, to whose power the most absolute prince is often compelled to bow, and to which the measures of a free government are entirely subjected. When we consider the support which is now derived to war, from the perversion of public sentiment, we are desirous that our government should unite with the governments of Europe in a distinct and religious acknowledgement of those principles of peace and charity, on which the prosperity of the states, and the happiness of families and individuals are alike suspended.

Secondly—We respectfully solicit that congress will institute a deliberate enquiry, for the purpose of ascertaining the methods by which this government may exert on human affairs, that happy influence which is anticipated by the president of the United States; the methods by which it "may infuse into the law which governs the civilized world," a pacific spirit "may diminish the frequency, or circumscribe the calamities of war," and may express "the most noble of all ambitions, that of promoting peace on earth, and good will to man." We are persuaded that a government, sincerely disposed to sustain the august and sublime character which is here described, of the pacificator of the world, will not want means of promoting its end. We trust, that under the persevering and well directed efforts of such a government, milder principles would be introduced into the conduct of national hostilities; that the reference of national controversies to an impartial umpire, would gradually be established as the law of the christian world; and that national compacts would be formed for the express purpose of reducing the enormous and ruinous extent of military establishments, and of abolishing that outward splendor which has so long been thrown around war, and which has contributed so largely to corrupt the moral sentiments of mankind.

When we represent to ourselves a christian government sustaining this beneficent relation to the world; mediating between contending states; recommending peaceful methods of deciding the jarring claims of nations; laboring to strip war of its pernicious glare, and to diminish the numbers of those who are interested in its support; diffusing new and generous sentiments in regard to the mutual duties and obligations of different communities; and inculcating, by its own example, a frank and benevolent policy, and a sincere regard to the interests of the world; when we represent to ourselves such a government, we want language to express our conceptions of the happy and magnificent results of its operations. It would form a new and illustrious era in human affairs, whilst, by the blessings which it would spread, and by the honor and confidence which it would enjoy, it would obtain a moral empire, more enviable than the widest dominion ever founded on violence and crime.

Loving our country with tenderness and zeal; accustomed to regard her as destined to an exalted rank, and to great purposes; and desirous to behold, in her institutions and policy, increasing claims to our reverence and affection, we are solicitous that she should enter first on the career of glory which has now been described, and that all her connection with foreign states should be employed to diffuse the spirit of philanthropy, and to diminish the occasions and miseries of war. Of such a country, we shall exult to be the children, and we pledge to it an attachment, veneration and support, which can only be accorded to a virtuous community.

It is our happiness that we live in an age when many noble schemes of benevolence have been ac-

complished; when the idea of a great amelioration of human affairs is no longer rejected as a dream of fancy; when statesmen are beginning to learn that all nations have a common interest; when philanthropy is extending its views to distant countries, and is executing purposes which would once have been regarded as the offspring of a blind and extravagant zeal. In this age of enlarged views, of generous excitement, of unparalleled activity for the good of mankind, it is hoped that the idea of a nation, espousing the cause of peace and humanity, will not be dismissed as visionary and impracticable Enlightened and benevolent statesmen will discern that we do not live in ordinary times, but that a new and powerful impulse has been given to the human mind, which, under judicious influences, may issue in great and permanent improvements of the social state.

In presenting this memorial, we solemnly declare, in the presence of God, that we have no private or narrow views. On this subject we belong to no sect, no party. As lovers of our country, as friends of mankind, as disciples of Jesus Christ, with the spirit of peace in our breasts, and with a deep impression of the miseries of war, we are only solicitous to prevent the effusion of human blood by human hands, and to recal men to the conviction that they are brethren. We trust that the warmth with which we have spoken, will not be construed into a want of deference towards our rulers. On such a subject coldness would be a crime. Our convictions are deep, and no language but that of zeal and earnestness, would do them justice.

We hope that we are addressing rulers who are sensible to the responsibility imposed by the possession of power; who regard the influence which is granted them on human affairs as a solemn trust; who consider themselves as belonging to their country and to mankind, and who desire to treasure up for themselves consolations in that hour when human applause will be an unavailing sound, and when no recollection will be so dear as that of having aided with a disinterested zeal the cause of peace and humanity.

By order of said society,

WILLIAM PHILLIPS, *President.*

THADDEUS MASON HARRIS,

Recording secretary.

A true copy. Attest,

THADDEUS MASON HARRIS,

Recording secretary.

Legislature of New York.

We deem the publication of the following act of the New York legislature a curiosity well worth the preservation.

IN SENATE, MARCH 10.

An act concerning the Shakers.

Whereas, Eunice Chapman, in the year one thousand eight hundred and four, was lawfully married to James Chapman, by whom she had three children, and with whom she lived until the year one thousand eight hundred and eleven, when the said James Chapman abandoned his said wife, without leaving her any means of support, and soon after joined the society of Shakers, in Neskauna, in the county of Albany: *And whereas* the said James Chapman, since joining the society of Shakers, has taken from his wife her children and now keeps them concealed from her, and insists that the marriage contract between him and his said wife is annulled, and that he is not bound to support her, and has publicly forbid all persons from harboring her, and declared that he would not be responsible for her debts:—*And whereas* the Shakers hold, that whenever married persons unite with their society they are absolved from the marriage contract and profess to believe that the said contract is unlawful and immoral, and that it is sinful for a member of their society to maintain any intercourse with those who are not members, without what they term a gift from their elders: *And whereas* a propagation of these principles is utterly subversive of the peace and happiness of families and the order of society—Therefore,

Be it enacted by the people of the state of New-York, represented in senate and assembly, That the marriage contract between the said Eunice Chapman and her said husband James Chapman, be and the same is hereby declared to be dissolved, and the said Eunice Chapman entirely freed from the same; but nothing in this act contained shall be construed to give the said James Chapman a right to marry, during the life time of the said Eunice: *Provided*, that the dissolution of such marriage shall in no wise affect the legitimacy of the children thereof.

II. *And be it further enacted*, That any married person being an inhabitant of this state, who shall hereafter attach him or herself to any society of Shakers in this state, shall be deemed and taken to be civilly dead, to all intents and purposes in the law, and his or her property may be disposed of in the same manner as if such person was really dead; and such person shall forever thereafter be incapable of taking any estate, real or personal, by inheritance.

III. *And be it further enacted*, That whenever any married person, being an inhabitant of this state, shall hereafter attach him or herself to the said society of Shakers, it shall and may be lawful for the husband or wife, not belonging to the said society, to file a bill in the court of chancery, setting forth and alleging that the husband or wife (as the case may be) of the person filing such bill, has joined him or herself to the said society of Shakers, and the like proceedings shall and may thereupon be had as are prescribed by the act, entitled "an act concerning divorces, and for other purposes," and if it shall appear on trial or enquiry, in the manner directed by that act, that such allegation is true, the chancellor shall pronounce and deem such persons, so joining the Shakers, to be civilly dead; and it shall not be lawful for such person thereafter to marry, if a man, during the life time of his former wife—and if a woman, during the life time of her former husband.

IV. *And be it further enacted*, That in all cases where any husband or wife, having any child or children of the marriage, shall hereafter separate, or may at any time heretofore have separated the one from the other, and shall or have attached him or herself to the said Shakers, and shall also take or have taken, with him or her, such child or children, being under age, the chancellor or any judge of the supreme court, for the time being, on the application of the husband or wife, not having joined the said Shakers, and being an inhabitant of this state, may allow a habeas corpus to bring such child or children before him; and if on the return thereof, such child or children cannot be found, and it shall appear that such child or children is or are concealed and secreted, by and among any society of Shakers in this state, it shall be lawful for the chancellor or judge, as the case may be, in his discretion, to issue a warrant directing the sheriff or other proper officer of the county where the said

society reside, in the very time to search the dwelling houses and other buildings of the said society, or any members thereof for such child or children, and on bringing such child or children before the chancellor or judge, he may on due consideration, away the charge and custody of such child or children, so to be brought before him, or any of them to that parent who shall not have joined the said society of Shakers, for such time and under such regulations, and with such provisions and directions, as to the said chancellor or judge shall seem proper, and as the case may require; and the chancellor or any judge of the supreme court, shall at all times thereafter, have power on sufficient cause shewn, to annul, vary or modify the order so to be made; and such warrant of the chancellor or judge shall justify the sheriff or other officer, and those who by their order shall come to their aid, in making such search as aforesaid, and sued therefor, may plead the general issue, and give this act and the special matter in evidence.

American Manufactures.

Great and simultaneous exertions appear to be made at the present moment to awaken public attention to the subject of home manufactures. The following queries are calculated to produce information important to the great interest of the nation; and we therefore lay them before our readers that such as have it in their power may give the answers.

(CIRCULAR.)

Philadelphia, March 6, 1817.

SIR—The committee appointed on the part of the "Philadelphia society for the promotion of American manufactures," to report a plan in aid of the internal industry of the country, take the liberty to call upon you for information on this important subject.

That our manufactures are in a state of great depression, is a fact, unfortunately, too well known, and too severely felt: but the nature and extent of the evils which press on particular manufactures are not so obvious.

For the purpose of obtaining an intimate view of the manufacturing interests, and of strengthening our application to the legislatures, by the most powerful of all means, a well digested statement of facts, we request of you the fullest answers in your power to the following queries.

1. Is your manufactories in a depressed state? If it be, to what cause do you ascribe its situation?

2. What measures in your view, will contribute to its relief?

3. What proportion does the price of your manufactures bear to the present price of articles in your line, of foreign fabric? What to the heretofore regular import price, and to the cost in the foreign country in which they are made?

4. What is the national consumption of articles of your manufacture, and how far can the demand be supplied from internal sources?

5. What are now, or have been heretofore the quantity and value of goods manufactured by you?

6. How many hands do you employ, when your manufactory is in full operation? What is their state of mental cultivation, and what their moral habits.

7. Do the habits contracted by the people of your manufactory render them less profitable in other employments?

8. Is your business conducted by manual labor, or labor saving machinery, in whole or in part? What is the relative propotion of each?

9. Are the people employed by you principally adults capable of field labor, or minors, females, or persons whose infirmities unfit them for such employments?

10. What is the quality of your manufacture, compared with those of a similar kind imported? *Illustrate this by instances.*

11. If the articles manufactured by you are more serviceable than the imported, please state the reasons; if less substantial, inform by what means these imperfections can be removed.

12. How far is your manufacture dependent upon foreign materials, and by what means can they be supplied from internal sources?

13. What is the cost of the raw materials? Compared with the prices of the same quality in foreign countries, and if higher, say by what means you suppose the prices can be reduced?

14 What is the difference of profit from hands employed in your manufactory, and from hands employed in the pursuits of the yeomanry?

15. What is the national gain from the difference of the raw materials employed in your manufacture, and the value of the articles when manufactured?

16. What is the difference between the wages paid to laborers in your manufactory, and those paid to laborers in similar foreign manufactories? Does this difference operate favorable or unfavorable?

17. Is the establishments of your manufacture favorable or unfavorable to the extension of agriculture?

18. Do the present duties on import afford a sufficient encouragement to your establishment? If not, what rate of duty will be necessary?

19. Has your manufacture been the cause of increase of the wages, paid to the laboring part of the community, or upon what principle do you account for the increase paid for daily labor?

20. Is the increase of paupers owing to the establishment of manufactories? If not, to what cause do you ascribe the increase of the number of the poor, and by what means do you suppose the number can be reduced, and their condition rendered more comfortable?

You will particularly oblige the society, by forwarding without delay your answers to such of the above queries, as you consider within your knowledge, and in such terms as you shall consider best calculated to give the most useful information.

Address to William Young, chairman, No. 10, South Third Street, Philadelphia.

William Young,
Victor Dupont,
Edmund Kinsey,
John Rogers,
David Lewis,
Joseph Siddall,
Adam Seybert,
Henry Simpson,
Thomas Gilpin,
Thomas F. Gordon,

Committee of superintendence and correspondence.

Relations with Russia.

FROM THE NATIONAL INTELLIGENCER.

Our readers have seen, by extracts from English papers, and verbal advices from Europe, that the difference between the United States and the Russian government is said to have been satisfactorily adjusted. It has given us pleasure to learn, that this report is not without foundation, and that information has been received by government, indirectly from Mr. Harris, our charge d'affaires in Russia, that, immediately on being made acquainted with the true state of the case, by means of the dispatches of which Mr. Coles was the bearer,

the emperor expressed his conviction that not the government of the United States, but the Russian officers in this country, had been to blame in the transaction, which had been incorrectly represented to him.

The conduct of the emperor, in yielding his first impressions at once to just explanations from our government, is an evidence of the continuance of the disposition, which that sovereign has always shewn, to maintain amicable relations with the United States. The frankness and promptitude of the executive in making these explanations *directly* to the government of Russia, has secured the honorable termination of a controversy, which, however absurd in its origin, might by the intrigues of those disposed to foment it, have become important in its consequences.

It is stated in the New-York papers that the Russian minister has been recalled by the emperor, with marks of his displeasure. We do not believe that any information to that effect has been received in this country from any official source.

Curran's Speech.

FROM THE LONDON OBSERVER OF JANUARY 18.

A select but numerous meeting of the friends of economy, reduction and parliamentary reform, on Friday, dined together at the freemason's tavern, *Wm. Lucas*, esq. in the chair.

The assembly was most respectable, and throughout the whole of the proceedings never for a moment overlooked the great cause for which it was convened. When the cloth was removed, the following toasts were given from the chair:

The king—The regent, and may he never lose sight of the principles which seated his family upon the throne—The queen, and all other members of the royal family—The constitution of king, lords and commons. May all the efforts to endanger it be rendered abortive by the timely exertions of all good Englishmen to correct such errors and abuses as time and design have introduced—The friends of economy, public order and reform, throughout the united kingdom—Civil and religious liberty to all mankind—The liberty of the press—May the present tranquility of Europe be neither disturbed by the injustice of princes, nor by the violence of individuals—The navy and army—The lord mayor, the friends of reform, and the city of London.

The CHAIRMAN said he should propose the health of an illustrious man then present, the right hon. John Philpot Curran, which was drank with great applause.

Mr. CURRAN then rose, and spoke to this effect—Mr. Chairman, and you, gentlemen, be pleased to accept my most respectful thanks for the honor you have done me; an honor peculiarly great on an occasion awful as the present. On ordinary occasions, a superficial civility is sufficiently rewarded by an insolvent bow. But something more is necessary in return for the introduction of my name, at a moment when the liberty of England is in question. I come from a country which has no liberty to be proud of, and if I go back to it, it will be as to the ruins of Babylon, to weep. You have been pleased, however, to give one toast—the cause of civil and religious liberty all over the world. When you drank that toast, I felt my heart embrace the negro—I felt also that it sympathised with my own poor country. Ireland, if it heard that toast, would bless that generous prospect of your's, from which alone can grow our human existence—(applause)—I am enthusiastic for my countrymen, but my enthusiasm for them is not surprising. My youth has been spent amongst them—my sympathy has been exercised for them—I might have sold myself at the market of corruption, and grown into pride, and wealth, and remorse, at their expence; but I preferred to stay below with them in their humiliation—to mourn their condition—to defend them if I could—to chide and rebuke them, when a bold friend ought to do so. On their behalf I thank you for the generous sympathy which has dictated that toast. You will not find them unworthy coadjutors in the vineyard of liberty.—(Applause.)—I might be disposed, perhaps, to trespass too much on your indulgence, on a subject towards which my heart will never freeze—the subject which brought you together; but the sentiments I entertain have been so much better expressed by the member who spoke last, my old friend, if he will allow me to call him so (Mr. Waithman,) that I shall only deface them if I attempt to rub them over. They are sentiments which a longer life then he has yet passed has rivetted more firmly on my judgment. The awful subject of our meeting is that policy which, by its melancholy results, we perceive has approached a crisis. It is written in tears in this country—it has been written abroad in blood (applause.) I remember the American war—I am not sorry that I am old enough to have witnessed its crimes and follies, because I shall soon be removed from these scenes altogether. I saw then the graceless contempt of human rights. I heard the assertion that men were represented when they were not represented; they behaved to a nation as a petty solicitor to a man when he enters his appearance in a court in order that judgment may proceed against him (applause); the admonition of Providence, the admonition of the waves, which she had interposed, was of no avail. We displayed our antic force and mimic ferocity; we kindled the fire of liberty in America, and at that blaze was the spirit of France kindled. Let no man dare to say when he weaves his web of policy—tush, there is no God! Yes, there is—and by his law the crimes of men generate in their own consequences their own punishment (applause.) The French revolution began—the French would have been at peace with us—as a man from them was on his knees in this country—(Chauvelin,) but he was kicked out. It will be tedious to read a clincical lecture on the progress of this disease—we have brought it to an end—but how? As the most ignorant quack might have closed it; we have bottled up the infection (appluse.) Have we done any more? What have we done? The most glorious circumstance for this country took place at the time of our revolution, when we decided, that in the time of national calamity, the monarch should not cling for his defence to the base and scurvy tie of legitimacy [applause.] Your ancestors saw what the monarch would be, if he only could commit crime with impunity. They repealed that odious law. The last war was to repeal that repeal, to establish the principle that the nation has no power to judge of right or wrong; that their decisions shall be set aside by a gang of despots who have restored a faded—no! not a faded—an exhausted—no! not an exhausted, but a bloated, extravasated dynasty—merely because they had a mind to do so [applause.] It is not that I have any sentiments of enmity to the members of the executive in this country—they are misguided, misadvised, but they do not want good intentions; but is there nothing alarming in itself in the establishment of 150,000 men? Where think you this establisment was formed—in the cabi-

net of St James'? Are you sure of that?—Was it not at the congress of Vienna? [applause.] We see its effects, universal distress, universal beggary. I have been shocked in your streets with what I had never winessed before in this country—men well dressed approach me, and, in the under voice of suffering and shame, beg me to give them something Remember one thing. It was the number of public mendicants in France which caused the horrors of the revolution. When man, who has been accustomed to support his family, is no longer able to find them bread, the social tie which binds him is broken, and famine becomes the recruiting officer of rebellion (applause.) Let me remind you of another thing: a country does not fall to pieces in a moment; but when it begins to fall, like other falling bodies, it descends with a constantly increasing velocity of precipitation! How far are we from the earth? How long will it take to pass the space which remains? If you have now 40,000 starving men (you see I am absurdly minute in my calculation) burning under want and oppression, what bond of allegiance remains for them? The true bond of allegiance is, when the subject feels that he derives blessings from it which he had better die than part with. But where is the John the Baptist? Where is the voice, human or divine, which can preach to the exasperation which famine and oppression produces in the minds of men (applause,) and I will even add in English minds? You are not like the French apes and dancers. You cannot pipe or sing amidst your misery, and then run from your little ordinary gambols into blood and cruelty. You are of a grave habit; nature has made it more difficult to rouse you, but remember that oppression will make even a wise man mad. You feel what your grievance is—but what is the remedy. Neither the patient or doctor know our evils; we feel impending famine and the dread of a military despotism. Military establishments are useful when raised to oppose our enemies, not to trample on our friends. But even in the streets now we see nothing but spurs, and cockades, and whiskers and feathers.—Fine birds of show, but odious birds of prey in a country like yours. What has been done by this army? It should almost seem that honor was no longer a part of the profession of a soldier. Faith has not been kept in any part of Europe. How have you behaved to Norway, how to Poland (which has been treated almost as badly as Ireland,) how to Italy? To aid rulers against the people, you were every where. Did the blessed Virgin lay you to sleep, while the horrors of the Inquisition were restored? (applause) My unfortunate country you prevailed on to sell her life, and when she lay dead, instead of affording her decent rites of sepulture, you tied her corpse to what remained of vital representation in this country, and you have been rewarded accordingly. You have not been haunted by her ghost, but you have been rotting with her carcass. You have been engaged in a war contrary to the interests of your country—not one war in a thousand is undertaken for the sake of national interests—they are stimulated by the courtly panders to the passions of princes. The war with America had never been popular in Ireland; the war with France had never been popular there. I do not magnify the importance of Ireland; God knows the English ministry had lefe it little to be proud of in the way of wealth—but still the voice of a nation was something, and the base apostates who governed it, thought better to sell their country, and transfer their voices to this. [Mr. C. commended the judgment of Mr. Waithman as to the proper course to be followed in the attainment of reform, and proceeded]—There should be no spirit of acrimony in your proceedings. There are many persons of the highest honor in the house of commons. There are in the direction of his majesty's councils—I do not know them—but blessed are those, we are told, that believe, though they have not seen—(a laugh)—many excellent persons.—When you hold up the situation of the country to their view, they will have so much acquiescence as to say, as Nathan said to David, "thou art the man;" they must acknowledge the justice of your picture. I cannot suppose that if your claims are stated fairly and moderately, they cannot have an effect. When the people are unrepresented beyond a certain point, the system is worse than no representation at all. (Applause.) The executive is not only without counterpoise but without apprehension.—Those bribing and those bribed degenerate into a profligate fraternity, drawing and redrawing, without funds of their own, on the solvency of the country. The ruler is not ashamed, and the betrayer is not afraid. There is a kind of competition in vice. If one man will keep within bounds, another will be found to dress himself out in all the ribbons of his prostitution. I am not for giving votes to the beggar on the bridge, nor for the constant rout of annual parliaments, but for a substantive representation of the people. In this cause I wish to see all distinguished persons come forward to pull an oar. This society, I am persuaded, will set a good example, it will show the people that parliamentary reform does not consist in breaking windows, or getting drunk in the streets. It will rally every man of good sense and decent feeling—behaving with respect even to those who have done you wrong. Go on—and God give you the success which, if it be not blasphemous to say, you have merited by the noble principles of your co-operation (loud and long continued applause.)

The healths of the mover and seconder of the resolutions were drank, who returned thanks.—Several toasts were drank, as trial by jury—The liberty of the press—Success to the cause of the society. About 10 o'clock the chairman left the chair, and most of the company separated.

Foreign Articles.

ENGLAND, &c.

Independence of parliament. It is publicly averred in a British paper, that a certain measure will be carried at the ensuing session of parliament, because *lord Liverpool has signified his intentions of supporting it!*

The meeting for reform, at Cork, was attended by 20,000 persons. The state of Ireland is most gloomy—tenants are deserting their farms, and they, with their landlords are involved in a common ruin. In one barony of the county of Clare, 18,000 acres, deserted by their late tenants, remain as waste land, and so it is in other parts of the country.

A London paper states that 13,000 distressed workmen from *Staffordshire*, were patrolling the kingdom in all directions as *beggars*, bringing with them printed papers signed by the magistrates certifying who and what they were! Thirteen thousand *men* from one country made beggars of, besides the usual vast stock of paupers and vagrants.—Is this possible? And why should it not be—it is said that many land-holders are willing for a term of years, to give their property rent free to any that will give security to pay the taxes!

FRANCE.

"Shaving."—The following account of the new French loan is given in the *Boston Centinel:*

"The London papers are in error respecting the extent of the loan which Messrs. BARING & Co. have lately made to the French government. We have seen letters from intelligent gentlemen in *France*, which give correct particulars respecting it. The amount of the loan is four hundred and twenty millions of francs, [*nearly seventy-nine millions of dollars, and upwards of seventeen millions sterling.*] The lenders were to take five per cent. stock at 70 francs, payable at the expiration of ten years, at par. It is estimated in *Paris*, that the loan will produce nearly *eleven and a half per cent. per annum*, for the ten years. It is added, that only one half the amount is to be paid in money, and the other in clothing and supplies for the allied army; which unquestionably will be supplied from the workshops at Sheffield, Manchester, &c."

SPAIN.

The Spanish consul at New-York has officially notified the public, "that all and every description of foreign manufactures, composed wholly or in part of cotton, are totally and strictly prohibited" an entry into the kingdom of Spain.

AFRICA.

The captain of a Tripolitan vessel of war captured an Anglo-Hanoverian ship, and entered port with her flag at half-mast. A representation of the case being made to the bashaw, he ordered the vessel restored, &c. and caused her flag to be hoisted to the mast-head, under a salute of cannon—the captain of the vessel of war, at the same time, being hung from the mast at the height that the flag had just occupied.

ST. HELENA.

A letter from the marquis de Montchenu, commissioner of the king of France to guard the person of *Napoleon Bonaparte*, in St. Helena, has been widely circulated through Europe to shew the impossibility of the escape of that man—and, indeed, if only one half of what the marquis says is true, and we have no reason to doubt any part of his statement, an army of 10,000 men and a fleet of 20 sail of the line would not be sufficient to release the captive, if opposed according to the means possessed for the purpose. The little island, or rather rock, of St. Helena has been fully described in the Register. A landing is practicable only at one point, and there "ten men with stones only," says the marquis, "might stop a thousand well armed." The garrison consists of 2500 men, with upwards of 500 hundred pieces of artillery and about 20 mortars. The only plain on the island is that where Bonaparte resides, on which a regiment is also encamped. This plain is surrounded by tremendous precipices, on which are stationed centinels and telegraphs. An hourly report is made with these to the governor of what the prisoner is doing; and in two minutes he can be apprized of any particular occurrence, as well at night as in the day time. In addition to all these, 2 frigates and 2 brigs are constantly sailing round the island, and at night the whole coast is patrolled by armed boats, &c. Such are the preparations deemed necessary to guard against the influence and power of one man—ever represented to us a monster, to be hated rather than loved.

"SPANISH AMERICA."

We have *Bolivar's* proclamation of Jan. 7, declaring the cities of Guayano, Cumana, La Guira, and Puerto Bello "in a state of strict blockade," according to the usages and customs of civilized nations.

Bolivar has had several hard battles with the royalists and tories, and has finally succeeded, after suffering one defeat himself, in nearly annihilating a royal force of 3000 men, near and in the city of Barcelona, while they were in the act of murdering the people of that place, without respect to age, sex or condition. He killed, and captured 1000 of them in the city, and the fugitives were happily intercepted by gen. Arismendi, who, had 800 cavalry, and literally cut them to pieces. It seems as if none but solitary individuals could have escaped him. Bolivar led the royalists into Barcelona by a stratagem, and fell upon them at the moment they were engaged in their butcheries. The probability is that Cumana has fallen into his hands, where there was a king's sloop of war, 3 gun brigs, and a schooner, reported to be only half manned, hemmed in by a division of *Brion's* navy, competent to beat them with ease. Admiral Brion is using every means in his power to detect and bring to condign punishment those who, under the patriotic flag, have latterly committed so many piracies in the West Indies. He had several such in close confinement, waiting for trial.

CHRONICLE.

Both houses of the legislature of New York have agreed to a resolution requiring the members at the next session, to appear dressed in *American manufactures.*

Mr. Werwag's extensive nail factory, not far from Dowingstown, Pa. was partially destroyed by fire on the 14th inst. It contained 43 machines, each of which cut and headed a nail, or brad, at a single operation, turning off an average quantity, each, of half a ton per week. The works are to be immediately repaired. The fire is supposed to have originated in design.

The steam boat *Ontario*, capable of carrying 2000 barrels, is prepared for the lake, and will leave Sackett's Harbor every Monday, and make a rout from Ogdensburg to Niagara, stopping at several places to land or receive passengers. The fare for cabin passengers from Sackett's Harbor to Ogdensburg is $5—from the same to Niagara, $10.

Mr. *Le Ray de Chaumont* is offering for sale 120,000 acres of land, in the state of New-York, situated on or near the St. Lawrence, and watered by many other fine streams. These lands make a part of "M'Comb's purchase"—there are now upon them 3000 inhabitants, 12 saw mills, 5 grist mills, &c. and the proprietor is about to erect many large buildings, and to establish iron works and other manufactures upon them.

New-York inspections.—Flour and meal inspected within the city of New-York, and county of Kings, from the 16th of February, 1816, to the 15th of February, 1817, both days inclusive:

236,326	barrels superfine flour,
11,552	half barrels do.
14,161	barrels fine do.
2,444	barrels fine middlings,
1,526	barrels common do.
10,303	barrels bad flour,
22,902	barrels rye do.
7,486	hhds. corn meal,
7,064	barrels do.
243	barrels bad meal,
137	half barrels do.

[*Official report.*

Virginia representation.—The senate of Virginia is elected by districts of counties. The late proposition to call a convention was rejected therein by ayes and noes—ayes 9, noes 12. The *nine* represent-

ed certain counties containing 347,328 white inhabitants, and the *twelve* certain other counties containing 150,080! This a burlesque on the right of suffrage.

Falsehood—Lieut. Crabb, of the United States navy, under his own proper signature, has refuted the story from the *Gibraltar Chronicle*, headed, "Fracas between the British and Americans at Messina." As the article had internal evidence in itself of its falsehood, we did not think it worthy of notice in the REGISTER; and mention the subject now only because it has been extensively circulated through the United States.

Our ships. A letter from commodore Chauncey to his friend in Boston, describes the Washington 74, "as the finest ship that ever floated," and the *swiftest* that he ever was in, and the best sea-boat. —She has been completely tried, and proved to be the fastest ship in the fleet on a wind, and beats all but the *Java* before it. The Spark, so famous for her sailing qualities, was beaten by her, both by and large. The Washington swims with the lower cills of her lower ports five feet clear, with four months provisions and water on board, &c.

We have observed before, that our ships of the line are the happiest combinations of celerity with force ever before produced.———And they have another advantage, which has not escaped the observation of every British officer who has had an opportunity of examining them—they sit so light on the water and look so small, that, at a little distance, they cannot be distinguished from a large frigate. This may as well facilitate the escape of our own frigates from a superior force, as lead larger vessels into a snare.

Sugar, made in South Carolina, has been refined at Charleston.

New-Hampshire.—William Plumer, esq. has been re-elected governor of the state of New-Hampshire, by a large and increased majority. All the branches of the government of this state are republican.

Mr. *John Randolph*, it is understood, retires altogether from public life.

The late bishop Asbury. A committee was appointed at the late conference of the Methodist Episcopal church, held in Baltimore, to superintend the publishing of a correct life of the late reverend bishop Asbury—who have notified the public that they are about to appoint a suitable person to write the same.

Western Plaster.—It appears fully ascertained, by actual experiment, that the Plaster of Paris, from Manlius, in the state of New-York, is an excellent manure for lands near the sea coast, exhausted by crops of cotton and indigo; on which the Nova Scotia plaster is of no value at all.

Transportation.—An association is spoken of at Philadelphia to establish a line of waggons between that city and Pittsburg—to start at fixed periods, &c. and, by travelling day and night, like the mail stages, make the journey in *seven* days. This may be easily accomplished when the great turnpike is finished.

The Pacific—Our hardy and adventurous brethren of Nantucket, &c. are very successfully and very extensively engaged in the Pacific whale fishery.

Canals.—The canal commissioners have made a report to the legislature of New-York. They estimate the cost of a canal from lake Champlain to the Hudson at 800,000 dollars. They propose to borrow 1,500,000 dollars to complete that canal, and the great western canal from Rome to the Seneca river, for which this sum is supposed adequate. It is probable that these great works will soon be commenced and prosecuted with vigor. The rise in the value of property they would occasion in the state of New York would, of itself, pay for them many times over. The state of Ohio has resolved, as far as the resources of the state will justify, to assist in making the canal between lake Erie and the Hudson.

THE GREAT CANAL—The report of the canal commissioners on the contemplated western canal, makes an octavo pamphlet of 90 pages. It contains a minute survey of the route.

From lake Erie to a point 11 miles up the Tonnewanta, 27 miles, will cost	$205,877
From Tonnewanta to the Seneca river, 136 miles, 194 feet fall, 25 locks,	1,550,985
From Seneca river to Rome, 77 miles, 48,50 feet rise, 6 locks,	853,166
From Rome to Schoharie creek, 71 miles, 132,85 feet fall, 16 locks,	1,090,703
From Schoharie creek to Albany, 32 miles, 289 feet fall, 30 locks,	1,106,087
Add for general expences,	75,000
Aggregate of expences,	$4,881,738

Of rise and fall—661,85 feet, by 77 locks.

Of distance—353 miles, 29½ chains.

By a route, south of the mountain ridge, from Erie to Genesee river, will save in expences 309,025 dollars.

"*Ship chandlery.*"—We were agreeably surprised to see in a Buffalo paper, an advertisement headed with "ship chandlery"—wherein is offered for sale cables, and all sorts of rigging, &c. with sail duck, anchors, tar, &c. needful for the equipment of vessels.

MAJOR-GENERAL HARRISON.—This estimable officer and accomplished gentleman, has been entertained with a sumptuous public dinner by the patriotic people of *Petersburg*, Va. and the survivors of the gallant corps of volunteers from that place who served under his command in the late war, through whom the citizens at large had become familiar with his arduous services and exalted character. The general, being on a visit to his relations in Virginia, was sought after and invited by a joint committee of the citizens and the volunteers, which he accepted. The town seems to have been quite alive when he approached—he was received with a salute of 16 guns and the general hilarity of the people. It was a proud day for the general, that those who ought to know him best, men of high and honorable minds, should thus respectfully and joyously receive him, notwithstanding the many persecutions he had suffered, for causes unknown to the public. The account of the affair in the *Petersburg Intelligencer* is delightful, and we would copy it but for its great length.

After dinner the usual number of toasts were drank, their beauty will plead an apology, if one is necessary, for giving them entire:

1. *The people.*—Brave, patriotic, and virtuous—free, sovereign and independent. 4 guns.
2. *The Constitution*—

Bless'd be the code, by whomsoever wro't,
Replete with maxims sound, and lib'ral thought. 3 guns.

3. *George Washington.*—Executing the mandate of Heaven, he gave freedom to millions. No. gun.
4. *James Monroe*—Called by the choice of his fellow citizens to the first office in their gift, he will not disappoint their hopes. 3 guns.
5. *James Madison*—He gave the signal for battle, and saved the republic. 3 guns.
6. *Thomas Jefferson.*—The consciousness of having contributed much to his country's prosperity will render his declining life serene and happy. 3 guns.
7. *The vice president of the United States.*—He has baffled the shafts of calumny, and rises superior to the malice of his enemies. 3 guns.
8. *The New Cabinet.*—Formed of virtue, talents and patriotism, the safe depository of American liberty. 2 guns.
9. *The battle of Tippecanoe.*—Excited by British intrigue, its

success was ominous of the glorious issue of our second war for independence. 2 guns.

10. *Fort Meigs*—A watch-tower in the wilderness—defended by valiant spirits, second only to their gallant commander. 6 guns.

General *Harrison* rose amidst the loud shouts of applause, which this sentiment excited. His feelings were evidently touched. In an instant all was calm, and he spoke as follows:

The honor which you now confer upon me, fellow-citizens, is that which the most celebrated of the ancient republics was accustomed to bestow upon such of their statesmen and warriors, who were considered to have deserved well of their country. To be feasted in the Prytanæum of their native city, was the greatest reward which an Athenian general could receive for the most brilliant and important services.—With the recollection of this fact, how shall I duly appreciate this mark of your approbation? I will not flatter you gentlemen, by saying that Petersburg is a modern Athens. That great republic covered with her fleets and her merchant ships every known sea. Arts and arms were also her's. Such indeed was the case with Carthage formerly as it is with Paris and London now. But in what age, in what region, by what city, have the pure principles of liberty been cultivated with greater care than on this spot?—Your Thompson has obtained for you the civic palm. In war, your Scott.—That gallant band, your volunteers! Yes! Pelopidas did not glory more justly in his sacred band, which fought and bled and conquered at Mantinæ; nor Bonaparte, in his young guards who were immolated at Waterloo; than you in these!—But a remnant only now remains; alas! I know too well where the remains of many of them are to be found: they lie in the cold and dreary swamps of the north-west! But their memories are preserved in the hearts of their countrymen. To perpetuate their fame is your sacred duty; and you will not neglect it. Gentlemen, I am not an Orator; had I talents of that kind, what a theme is here, one to which a Cicero or your own Taylor, or Robertson, or Leigh, would have done justice: But I beg your pardon; I rose merely to thank you for the compliment contained in the toast; to the commander the merit of the defence of fort Meigs must be greatly lessened, when it is recollected that the lines were defended by troops from Ohio and Kentucky, and the reserve composed of the Pittsburg and Petersburg volunteers!

11. *Col. R. M. Johnson*—Tecumseh's arm, that erst spread terror through the forest's gloom, fell nerveless before the champion of American liberty. 2 guns.

12. *Lake Erie*—The gallant Perry bridged its waters with the flotilla of Britain, and conducted in triumph to the shores of Canada, the avengers of their country's wrongs. 2 guns.

13. *The River Raisin*—Crimsoned with the blood of freemen, an eternal monument of British philanthropy, justice, and good faith.

14. *The American navy*—The ocean and the lakes the grand theatres of its glory. 2 guns.

15. *The army of the United States.*—Composed of freemen, it must ever be invincible. 2 guns.

16. *The brave volunteers who fell at fort Meigs*—Drop the tear—not of regret—their death was glorious.

17. *The Spanish patriots*—Contending for liberty—whilst we sigh for their misfortunes we glory in their triumphs. 2 guns.

18. *Our differences with Ferdinand VII.*—"Put up thy sword, weak prince—thy hand shakes at it."

19. *Woman*—

All that we believe of Heaven—
Amazing brightness, purity and truth,
Eternal joy and everlasting love.

By general Harrison.—The town of Petersburg—the seed-bed of patriotism, the nursery of heroes.

☞ General Harrison was also invited, in the most handsome manner, by the mayor and citizens of Richmond, to a public dinner; but his private concerns prevented him from suffering the delay it would have occasioned. The correspondence on the occasion has been published in the papers.

Gen. St. Clair.—"This poor and unfortunate, but gallant soldier," (to use the words of the Democratic Press) has, at last, got a competent subsistence for the little remnant of his days. What congress denied, the liberality of *Pennsylvania* has furnished. The legislature, some time ago, gave him a pension of 300 dollars, which, at the present session, has been raised to 650—this sum will keep the old gentleman above want. He resides on the Alleghany mountain. It is pleasant to remark that the political sentiments of the general are opposed to those of a very large majority of the people, and their representatives, of this rich and liberal state.

True policy. The legislature of Pennsylvania has passed an act appropriating half a million of dollars to internal improvements—roads, bridges and canals—105,000 of which is to complete the turnpike from Philadelphia to Pittsburg. The Schuylkill, Lehigh and Monongahala rivers are among the first objects for "lock navigation."

Treaty with Sweden.—It will be recollected, that it was stated some time ago by us, as a report, that the senate had under discussion a commercial treaty concluded with Sweden by our minister, Mr. Russel. We find it stated in some of the newspapers, that the treaty was rejected by the senate. Not so, according to our information. The treaty was ratified, with the exception of one or more articles, which, it is presumed, are to be the subject of future negociation. [*Nat. Int.*

Captain Gordon.

The following notice of the late captain *Gordon*, of the navy, is from the Philadelphia Political Register, 28th ult.

Obituary.—The village Hampden sleeps with his fathers, but lives embalmed in the affectionate remembrance of those who are to rest by his side.

The great and the good, receive their last and parting breath in the same air that animated their early clay. In the land that gave them birth, they pass away; but are hallowed in the gratitude and veneration of the friends they have loved and of the country they have served. The pompous obituary swells the note of admiring recollection for those, o'er whom the turf is warmed by the same ray that saw their incubate and their declining hour.

Shall then, no requiem be said for those who in their country's cause, sleep in a land their sires had never seen? Shall the ardent friend, the intrepid soldier, the good and virtuous man, pass from a world he adorned, and to his memory be given no sigh, but from those he cherished, no tear but from those he loved.

The heroic bravery, and generous soul of the departed *Gordon*, from a people, whose distinction he graced, might have claimed a more extended sphere. Those feelings, which highest glow in the bosoms of the noble, made him in early youth misfortune's target, but the spotless honor of his name even calumny has not dared to tarnish.

By those who knew him beloved, by those whom e commanded almost adored—his ashes moulder beneath the treads of a stranger, and unworthy detraction has essayed to darken the lustre of his fame.—Shame on the soul, who would forget to reverence the dead, because it saw not the ascent of his spirit—But scorn on him, who admired, loved or feared the virtues of *Gordon*, and veils the mirror of recollection, when it would retrace the existence that has been closed afar.

——Cui pudor & justitiæ soror,
Incorrupta Fides, nudaque veritas,
Quando ullum inveniet parem.

NILES' WEEKLY REGISTER.

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Hæc olim meminisse juvabit.—Virgil.

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Internal duties.—The statistical enquirer will find much to amuse and instruct him in the interesting view of the internal duties, given in the present number.

The folding of the register.—Measures have been recently adopted that will secure for the Register a much greater degree of accuracy in folding it than heretofore—and, we hope, will silence the just complaints that have been made on that account.

"Cashiering of Kings."

The number of the "Edinburg Review" for June last, has an article on "A narrative of events which have recently occurred in the island of Ceylon, written by a gentleman on the spot." The tract is understood to come from high authority; and, as the reviewers justly observe, "there is, perhaps, no passage in the history of [British] oriental policy which exhibits so strong a contrast to the ostensible principies of [British] conduct in Europe," as is described in these pages.

After the "legitimate" king had been defeated, through the *treachery* and defection of his people and the superior discipline of the British troops, the British government issued a proclamation declaring that the Kandian king, "*by the habitual violation of the chief and most sacred duties of a sovereign, had forfeited all claims to that title, or the powers annexed to the same, and is declared fallen and deposed from the office of king; his family and relatives, whether in the ascending, descending or collateral line, and whether by affinity of blood, are also forever excluded from the throne*"—and said relatives, being males, "*are hereby declared enemies of the Kandian provinces,*" and excluded and prohibited from entering the same "*without a written permission for that purpose by the authority of the British government*"—and "*the dominions of the Kandian provinces is vested in the sovereign of the British empire,*" &c.

These extracts are from the official paper, and clearly convince us that there is one "*divine right*" for Europe and another for Asia! The narrative makes it appear that the king of Candy was a very bad man, exceedingly despotic and very severe, especially to the family of a certain chief who took up arms against him, and resisted his *royal* authority. But what of that? Who gave an English general a right to sit in judgment on the "Lord's anointed," and not only cashier him, but illegitimatize his whole kindred, and declare them enemies of *their own* provinces? There is a superiority of impudence in the transaction, when it is viewed in connection with the clamors of the British in Europe about France, Spain, &c. that is truly laughable. It will be recollected that the *throne* of the deposed monarch was transported to London, and received by government as lawful spoil.

It may be well here to insert an extract from *Rollin's* "Ancient History," one of the most useful and most interesting works in the world, but which, unhappily, abounds with stuff like the following. Speaking of rebellions that took place in certain provinces of Persia in consequence of the vices, effeminacy and oppression of the government, he says: "Their *just* complaints, long time despised, were followed by an open rebellion of several nations, who endeavored to do themselves that *justice* by force which had been denied to their remonstrances. In such conduct they failed in the submission and fidelity which subjects owe to their sovereigns; but *paganism* did not carry its lights so far, and was not capable of so sublime a perfection, which was reserved for a religion that teaches that *no pretext, no injustice, no vexation*, can ever authorise the rebellion of a people against their prince."

Now—the British—"the bulwark of that religion" Mr. *Rollin* alludes to, not only made use of the Kandian "rebels" to subdue their king, but appropriated his kingdom, with all his *private treasures*, to their own uses. [See the Royal Catechism, page 92.]

The Federalist.

This celebrated work is well known to have been produced by the joint labors of *Alexander Hamilton, James Madison* and *John Jay*—we mention them in the order in which they appear to have contributed to it. Some doubt has latterly arisen as to the Nos. from the several pens of these great men. A writer in the National Intelligencer, in March last, said—"I take upon me to state, from indubitable authority, that Mr. Madison wrote Nos. 10, 14, 18, 19, 20, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 62, 63, and 64. Mr. Jay wrote Nos. 2, 3, 4, and 5; and Mr. Hamilton the residue.

"I have been for several years in possession of the information upon which this statement is predicated; and, if it be doubted or denied, I will venture to appeal to the papers of general Hamilton for the confirmation of my assertion."

Another writer, in the New-York Evening Post, contradicts this statement, saying—"General Hamilton, a day or two previous to his death, stepped into the office of his friend judge Benson, then absent, and in the presence of his clerks left a paper in a book lying there and departed. After his fall this paper was observed, and deposited by judge Benson in the city library, with a certificate, that it was the hand writing of A. Hamilton. The following is a copy.

"Nos. 2, 3, 4, 5, 54, Mr. Jay; Nos. 10, 14, 37 to 48 inclusive, Mr. Madison; Nos. 18, 19, 20, Mr. Hamilton and Mr. Madison, jointly; all the rest by Mr. Hamilton."

"This is a sacred relict: call it not in question."

Soldiers' bounty lands.

from the nashville (tenn.) whig.

That part of the soldiers' bounty lands lying in the Missouri and Illinois territories, being five millions of acres, are in a rapid state of preparation, and will soon be ready to be allotted among the soldiers.

General Rector, the surveyor general, following the instructions of the government, has employed more than eighty companies of surveyors, comprising upwards of four hundred men, and bound them

in contracts to complete their surveys by the first day of June next.

To make sure of five millions of acres fit for cultivation upwards of eight millions are ordered to be surveyed. None will be offered to the soldiers which is not fit for cultivation, and the surveys now include large bodies superior in fertility to the richest lands of Kentucky or Illinois.

Two and an half millions of acres will lay in the Illinois territory, in the fork of Mississippi and Illinois rivers, between the latitude 39 and 41 degrees north; in parallels corresponding with Washington city, Philadelphia and the middle parts of Pennsylvania. This tract is washed by the Mississippi on the west and the Illinois on the southeast, and has an easy communication with lake *Michigan* by *Chicago*, and may carry its commerce to New Orleans or to New York, when the canal of that state is finished. Slavery is *not* admitted in the Illinois territory.

The other two and a half millions will lay in the Missouri territory, between latitudes 35 and 40 degrees north, and longtitude 12 and 16 degrees west from Washington city. This tract is watered by the Mississippi, the Missouri and its tributaries the Great Osage and the Gasconade; slavery *is* admitted in the Missouri territory.

These lands are the first of the western country for richness of soil, healthiness of climate, and navigable waters; advantages enhanced by a position near the centre of the great valley of Mississippi, where the union of the great rivers and the centre of territory combine to fix so many interests, commercial and political. The staples will be wheat, hemp and tobacco; lead salt and fur.

Besides the bounty lands, upwards of five millions of acres of other public land will also be surveyed by the first of June next; making in all, in the territories of Missouri and Illinois, about fourteen millions of acres subject at that time, to the disposition of the government. The drawing of lots for the soldiers bounties, and the public sales, may be expected to come on soon after.

The Indian title has been extinguished in the Missouri territory to about seventy thousand square miles; that is to say, to a tract of country about as large as the state of Virginia, and embracing all the latitude of that state.

The line between the whites and the Indians begins three hundred miles up the Missouri river, at the mouth of the *Kanxus*, in latitude 39 degrees 5 minutes north, and runs north over a rich country, one hundred miles, to the head of the little river Platte; then east, over naked sterile ridges, one hundred and fifty miles and a half, to the *des Moines* (river of the Monks;) then down that river, 16 miles, to the Mississippi south of the Missouri, the line begins at *Prairie de Free* (fire prairie) thirty miles below the mouth of the *Kanxus*, and runs south two hundred and fifty-four miles down that river to Arkansas; then down that river, *supposed* two hundred and forty miles to the Mississippi.

The two and a half millions of acres intended for the soldiers in the Missouri territory, are surveyed within those boundaries.

[We have this information from col. Benton, and give it as such, that those interested may rely upon it.]—*Franklin Monitor.*

Americans in prison.

From the Norfolk Beacon.

The following petition addressed to the president of the United States, by fourteen Americans, now confined in the Spanish prisons at *St. Jago de Cuba*, was handed to us by a gentleman who arrived here from that island, about ten days since, with a request that we would publish and then transmit it to the president. Not knowing the gentleman who was the bearer of the letter, and having no evidence of the authenticity of the document, induced us to delay its publication until we could satisfy ourselves on these points. Having received such assurances touching its genuine character as we required, and having the statement which it contains verified by a subsequent arrival from the same quarter, we give it insertion with pleasure, forwarding the original as directed, to the department of state, where we doubt not it will receive that attention to which it is entitled.

TO THE PRESIDENT OF THE UNITED STATES.

Petition of fourteen Americans now confined in the prison of St. Jago de Cuba.

HONORED SIR,

We take the liberty to inform you of our sad misfortunes, confined in Cuba prison, at the inhuman mercy of the cruel Spaniards.—Our first misfortunes are as follow: Our vessel being sold for the purposes of privateering, we were obliged to take passage in the schooner Margaretta, Peter Anchor, commander, bound to Jamaica. To our sorrow, after being on our passage two days, the captain brought up his Carthagenian commission, and said he was bound on a cruize. Finding ourselves taken in in this shameful manner, we concerted each other to leave her the first opportunity. On the 2d September we captured the schr. Sophia, under Spanish colors, bound to Jamaica, with cattle on board; on the 3d of the same month, captured a Spanish brig from the coast, with one hundred and eighty negroes on board; the captain and owner ransomed the brig, &c. for $1600; we allowed the boat to take the captain on shore at Cuba under a promise that he would return with the money; the unjust agreement of the Spaniards, in place of the money, sent out a king's schooner of superior force and captured us: at the time of the capture, four of the men got clear in the boat. Honored Sir, now began the inhuman usage of the cruel Spaniards—cut and mangled to pieces with cutlasses, bound back to back till the blood run from under our finger-nails; we are at present in Cuba jail on the allowance of this savage nation, on half a pint of rice and beans, half cooked, for to content the sons of Columbia for 24 hours; without clothing, or any thing to hide our nakedness, in iron strong, &c.—No friends allowed to see us.

Honored Sir—We the unhappy petitioners, do humbly beg for the mercies of a free country, for which we have fought and valiantly conquered our enemies.

John H. Buckley, Nantucket,
Denard Tounsand, Norfolk,
Thomas Reed, New York,
Benjamin Brown, do.
John Davis, Newport,
William Handy, N. Carolina,
George Wilson, New York,
James Morress, Boston,
John Bennet, Philadelphia,
John Jackson, do.
John Anderson, New Orleans,
John Dunkin, New York,
John Charles, New Orleans,
Francis Barber, do.

Internal Duties.

[The following can be regarded only as an abstract of the report of the commissioner of the revenue; but is presumed to contain every thing that can be generally useful.]

Letter from the secretary of the treasury, transmitting statements of the internal duties for 1815; of the amount of direct tax, &c. &c.—February 11, 1817. Read and ordered to lie on the table.

Treasury Department, December 31st, 1816.

SIR—I have the honor to transmit herewith, the statements relating to the internal duties and direct tax, required by the 33d section of the act of congress, of the 22nd of July, 1813, to be laid annually before congress, in the month of December, viz. A statement of internal duties for the year 1815, showing the amount accruing from each branch of those duties, in each collection district throughout the United States and their territories; the amount paid into the treasury; and the expence of collection; a statement of the amount of the direct tax received; and the amount paid to the officers employed in the collection thereof, in each collection district, wherein the same became payable; a statement showing the amount of the compensation received by the principal and assistant assessors under the acts of the 22d of July, and 2nd of August, 1813; and a statement of the official emoluments and expenditures of the officers employed in collecting the internal duties and direct tax, during the year 1815.

I have the honor to be, very respectfully, sir, your most obedient servant,

WILLIAM H. CRAWFORD.

The hon. Henry Clay, speaker of the house of representatives.

TREASURY DEPARTMENT,
Revenue office, November 30, 1816.

SIR—I have the honor to communicate to you, to be laid before congress, agreeably to law, in December ensuing, the following statements:

No. 1. Statements exhibiting views of the collection of the direct tax of three millions of dollars imposed August 2d, 1813.

No. 2. Statement of the amount of the direct tax received during the year 1815, with the amount paid to the officers employed in the collection.

No. 3. General view of the collection of the direct tax of six millions of dollars, imposed January 9, 1815.

No. 4. General view of the collection of the direct tax of three millions of dollars, imposed March 5, 1816.

No. 5. Statement exhibiting the amounts which have accrued during the year 1815, from the several internal duties, as well as those received, with the sums paid to the officers employed in the collection thereof.

No 6. Statement of the amount of duties which have accrued on various goods, wares and merchandise manufactured in the United States.

No. 7. Abstract of the official emoluments and expenditures of the collectors of internal duties and direct tax during the year 1815.

I am, very respectfully,

SA. H. SMITH,
Commissioner of the revenue.

Hon. *Secretary of the treasury.*

A view of the collection of the direct tax of three millions of dollars, imposed on the 2d of August, 1813.

Of this amount the states of New Jersey, Pennsylvania, Virginia, South-Carolina, Georgia, Ohio, and Kentucky assumed and paid into the treasury their respective quotas, amounting to $1,363,290 31, leaving to be collected by the United States the remaining sum of $1,636,709 69.

The following statements exhibit a view of the collection of this last sum.

Statement No. 1. presents a view of the collection in each of the collection districts.

Statement No. 2. presents a view of the collection of taxes on non-residents' property transferred to the designated collectors in each state; and

Statement No. 3. presents a general view of the collection.

Of the collection of the direct tax imposed August 2, 1813.

AGGREGATE STATEMENT

STATES.	Amount of quota.	Amount of tax list.	Payments to the treasurer.	Expences of collection.	Other credits to the collectors.	Total amount of credits.	Amount remaining to be accounted for
New-Hampshire,	96,793 87	97,049 20	87,709 16	5,635 11	3,704 93	97,049 20	
Massachusetts,	316,270 98	318,137 09	291,007 91	17,356 20	9,848 18	318,212 29	33 62
Vermont,	98,343 71	98,532 26	90,841 06	6,019 40	1,694 29	98,554 75	9 70
Connecticut,	118,167 71	118,502 79	110,206 46	7,526 73	766 50	118,499 69	3 16
Rhode-Island,	34,700 18	34,750 78	31,944 20	2,728 89	79 83	34,752 92	
New-York,	431,931 62	435,006 34	399,087 59	21,485 51	18,786 98	430,360 08	6,350 78
Delaware,	32,046 21	32,994 67	29,717 81	2,423 58	163 28	32,304 67	
Maryland,	151,633 94	152,327 49	140,377 87	7,764 50	936 86	149,099 23	3,265 17
North-Carolina,	220,287 60	220,959 92	206,460 42	13,774 52	993 24	221,228 18	1 07
Tennessee,	110,012 30	111,039 49	101,948 90	5,827 28	3,137 36	110,913 54	144 98
Louisiana,	28,302 22	29,712 57	8,799 30	829 88	3 71	9,632 89	20,079 68
Total,	1,638,479 84	1,648,312 60	1,489,120 68	91,371 60	40,114 16	1,620,607 44	28,803 16

[The "view of the collection of taxes on non residents' property transferred to the designated collectors in each state," amounts only to $335,741 81, of which 1,148 77 is the amount remaining to be accounted for.]

N. B. In the column headed "*other credits to the collectors*," is stated the amount with which they are credited, arising from taxes on non-residents' property transferred to the designated collectors—taxes on property purchased in behalf of the United States and not redeemed—abatements in individual taxes from errors of assessment—taxes lost by persons absconding or becoming insolvent—and excess of charges beyond the additions of ten and twenty per centum incurred on the advertising and sale of property for non-payment of taxes.

No. 3.

General view of the collection of the direct tax of 1814.

Aggregate of the quotas of the several districts as fixed by law,		$1,638,479 84
Aggregate of the quotas of the several districts agreeably to the tax lists delivered by the principal assessors, to the collectors,		1,648,312 60
Deduct for allowances of errors in assessment,		1,929 86
Leaving the amount of tax to be collected,		1,646,382 74
Add interest received on the redemption of property purchased in behalf of the United States,	195 73	
Surplus of the additions of 10 and 20 per cent. over the expences of property advertised or sold,	3,465 95	
		3,661 67
Amount chargeable to the collectors,		1,650,044 41
Amount of payments to the treasurer,	1,521,129 25	
Deduct amounts overpaid by sundry collectors, beyond the amounts with which they were respectively chargeable, which will be credited to them in the accounts of direct tax of 1815,	1,257 72	
	1,519,871 53	
Expences of collection, viz:		
Contingent expences,	5,493 39	
Commission,	87,716 68	
	93,210 07	
Amount of taxes lost by persons absconding or becoming insolvent,	1,204 84	
		1,614,286 44
Amount remaining to be accounted for		35,757 97

Which consists of—

Taxes on property purchased by the United States, and unredeemed,	5,764 18
Taxes uncollected or in the hands of collectors, viz:	
In the 6th district of New-York, of which William Tremper is collector, being, as he states, in bank notes which will not be received by his bank of deposit,	1,473 62
*In the 16th district of New York, stated by the late collector (Francis A. Bloodgood) to be detained in the hands of a deputy,	1,710 84
*In the 25th district of New-York, of which Jonas Harrison is collector,	2,026 82
In the 4th district of Maryland, of which Stephen H. Moore is collector, owing to the captivity of the principal assessor, great delay occurred in this district in making the assessment,	3,261 61
In the state of Louisiana, the collection having been but recently commenced,	20,079 68
In other districts,	287 45
Amount of taxes on non-residents' property transferred to designated collectors, and not yet accounted for,	1,148 77
	35,757 97

Revenue office, Nov. 27, 1816.

Note.—Both these cases of delinquency have been laid before the comptroller of the treasury, by whom suits have been instituted.

Aggregate statement of the amounts of direct tax received during the year 1815, *with the amounts paid to the officers in the collection thereof.*

STATES.	Amo'nt received by collectors	Paid to the treasurer.	Expences of collection.
New-Hampshire,	94,776 29	83,693 91	4,390 38
Massachusetts,	125,269 03	131,187 15	7,927 17
Vermont, ...	109,618 93	58,147 88	3,479 50
Rhode-Island, .	21,296 61	7,274 45	1,032 03
Connecticut, . .	117,358 01	108,935 05	5,477 64
New-York, . . .	53,816 44	73,741 21	4,918 18
New-Jersey, . .	140,049 04	120,155 43	5,752 35
Pennsylvania, .	: : :	: : :	: : :
Delaware, ...	23,508 66	23,331 54	1,375 67
Maryland, . . .	65,464 30	72,730 68	3,386 56
Virginia	: : :	: : :	: : :
North-Carolina,	40,191 01	49,332 34	3,430 92
Kentucky, . . .	: : :	: : :	: : :
Tennessee, . . .	33,155 28	88,560 69	2,449 64
Louisiana, . . .	1,797 14	1,683 80	113 24
Dis. of Columbia,	6,610 65	6,250 00	333 59
Total, . . .	833,111 41	775,024 93	44,066 87

Add amount of extra allowances by the president, properly chargeable to the collection of the direct tax, . .	3,427 29
Add amount of allowances under the 2d section of the act of March 3d, 1815, properly chargeable to collection of direct tax, ...	3,171 03
	50,665 19

Being 6 1-8 per cent. on the amount paid into the treasury.

Revenue office, November 28, 1816.

No. 3.

General view of the state of the collection of the direct tax of six millions of dollars, imposed Jan. 9, 1815.

Although this tax was imposed on the 9th day of January, 1815, in consequence of the time occupied by the assessment, the collection of it did not commence in any district until the 28th day of September, 1815, and generally did not commence until the month of February, 1816.

Amount of the tax,	$6,000,000 00
Add amount of direct tax imposed on the district of Columbia by the act of February 27, 1815,	19,998 40
	6,019,998 40

Amounts paid into the treasury by the following states, viz:

New York,	731,240 76
South Carolina,	258,239 32
Georgia,	170,885 69
Ohio,	177,055 54

	1,377,421 31	
Deduction allowed,	295 845 15	
		1,634,267 46
Leaving to be collected by the collectors,		$4,385,730 94
Of this sum there is ascertained to have been collected on the 31st of October, 1816,		3,820,000 00
Remaining to be collected,		565,739 54

Revenue office, Nov. 28 1816.

No. 4.

General view of the state of the collection of the direct tax of three millions of dollars, imposed March 5, 1815.

The revisions of the preceding assessment have been completed in a majority of the districts, in which the tax is in a state of collection.

In the other districts they will, it is supposed, be soon effected.

Amount of the tax,		$ 3,000,000 00
Add amount of direct tax imposed on the district of Columbia,		9,999 20
		3,009,999 20
Amounts paid into the treasury by the following states, viz:		
New-York,	365,620 38	
South Carolina,	129,119 66	
Georgia,	94,936 49	
Ohio,	88,527 62	
	678,204 15	
Deduction allowed,	102,929 58	
		781,133 73
Leaving to be collected by the collectors,		2,228,865 47
Of this sum there is ascertained to have been collected on the 31st of October, 1816,		70,000 00
Remaining to be collected,		$2,158,865 47

Revenue office, Nov. 28, 1816.

General view of the internal duties for 1815.

Accruing duties, viz:		
On licences for stills and boilers employed on domestic materials,	$750,503 22	
Foreign materials,	91,616 59	
		842,119 81
On spirits distilled from domestic materials,		
at 20 cents per gallon,	1,305,160 32	
at 25 cents per gallon,	742,398 57	
Do. from foreign materials at 20 cts. per gallon,	159,229 00	
		2,206,787 89
On carriages,		165,717 31
On licenses to retailers,		927,444 47
On sales at auction,		825,132 83
On refined sugar,		72,807 32
On stamps, viz:		
On stamped paper and bank notes,	334,209 70	
By compounding banks,	84,422 10	
		418,631 80
On various goods, wares, and merchandise, manufactured in the U. States,		793,625 53
On household furniture, and gold and silver watches,		93,034 50
Interest and additions received on duties not punctually paid,		14,827 85
Moiety of fines, penalties, and forfeitures,		9 142 99
		6,369,272 90
Deduct amount of duties refunded or remitted, [see note 1.]		126,769 35
Total accruing duties,		$6,242,503 55
Add balances due on Dec. 31, 1814, viz:		
In bonds uncollected,	1,170,949 57	
In duties not bonded,	1,396 29	
		1,172,345 86
Total of accruing duties in 1815, and of duties outstanding Dec. 31, 1814,		7,414,849 41
Amount of duties received by the collectors,		4,986 262 23
Amount of payments to the treasurer,		4,697.252 19
Expences of collection, consisting of		
Contingent expences,	21,251 04	
Measuring stills,	1,626 83	
Commission,	216,908 12	
Extra allowance by the president, [see note 2.]	20,512 71	
Allowance under the second section of the act of 3d March, 1815,	18,978 97	
		279,277 67
Being 5 6-10 per centum on the amount paid into the treasury.		
Balances on the 31st Dec. 1815, viz:		
In bonds uncollected,	848,404 05	
In duties not bonded,	1,485,126 73	
In cash and treasury notes	225 105 47	
		$2,558,636 25

NOTES.

There remain to be received partial returns from five districts, by which, when received, this statement will be in a small degree varied. As, moreover, it is formed from the accounts of the collectors as transmitted to this office, uncorrected by the revision of the accounting officers of the treasury, the several items of which it consists will not precisely balance or correspond with the results of the accounts as finally settled.

Note 1. This sum consists principally of repayments to distillers, under the 17th section of the act of December 21st, 1814.

Note 2. The whole sum allowed by the president for the collection of the direct tax and the internal duties, for the year 1815, amounts to 23,940 dollars. There having been received from the direct tax 833,111 41 dollars, and from the duties 4,986,262 23 dollars, in the foregoing general view a proportionate part of the whole allowance is charged to the duties, viz: 20,512 71 dollars, the residue being properly chargeable to the collection of the direct tax. As the whole of these allowances were made after the close of the year 1815, and after the accounts of the collectors were rendered, they were satisfied out of the duties accruing in 1816, to which, on the books of the treasury, they will appear to be charged.

A like apportionment has been made of the allowances provided by the second section of the act of March 3d, 1815, in cases where the annual commissions of a collector do not exceed 1000 dollars.

Revenue office, November 28, 1816.

Aggregate Statement

Of the amounts which have accrued, during the year 1815, from the several internal duties, as well as those received, with the sums paid to the officers employed in the collection thereof.

STATES.	DUTIES ACCRUING ON										
	Licenses for stills and boilers employed in distilling from		Spirits distilled from			Carriages.		Licenses to Retailers.	Sales at Auction.	Refined Sugar.
			Domestic materials		Foreign materials at 20 cents per gallon.					
	Domestic materials.	Foreign materials	at 20 cents per gallon	at 25 cents per gallon		Number of carriages.	Duty thereon.			
New-Hampshire	888 69	3,015 90	681 81	137 05	4,840 81	3,337	4,514 09	24,535 64	2,245 79	: :
Massachusetts	23,381 83	57,959 11	29,877 84	1,548 14	110,147 27	14,184	21,748 49	113,906 95	87,643 63	4,394 17
Vermont	14,263 13	: :	18,017 56	816 14	: :	1,628	2,443 09	22,337 54	75 20	: :
Rhode-Island	4,073 28	8,440 80	6,097 71	: :	12,185 97	722	1,123 03	10,093 53	452 01	: :
Connecticut	50,867 66	3,524 65	52,996 04	3,692 09	5,645 20	6,319	10,202 46	42,616 04	635 55	: :
New-York	120,522 03	10,299 23	199,645 92	5,672 31	13,519 65	7,715	18,675 91	201,757 84	332,841 64	40,279 69
New-Jersey	25,033 72	4,953 90	69,081 42	10,329 74	5,477 20	7,892	14,790 02	35,607 87	949 84	: :
Pennsylvania	228,042 13	: :	381,484 71	38,393 24	: :	8,361	20,076 29	153,018 84	229,764 45	6,127 41
Delaware	209 11	: :	600 35	22,295 38	: :	2,081	4,018 58	8,093 12	453 82	: :
Maryland	28,910 87	: :	66,177 25	32,428 34	: :	4,550	13,283 87	58,747 36	102,758 79	18,619 18
Virginia	87,702 63	: :	179,387 95	201,566 82	: :	7,047	20,147 24	69,620 64	20,003 64	980 32
North-Carolina	13,353 81	: :	21,961 11	175,922 07	: :	4,859	8,907 95	32,967 98	3,734 47	: :
Ohio	33,819 15	: :	56,653 68	15,128 83	: :	219	732 45	26,923 23	636 22	: :
Kentucky	57,807 62	: :	114,644 40	39,569 10	: :	546	3,192 86	23,789 71	1,371 29	: :
South-Carolina	12,615 84	2,550 77	19,640 77	68,107 41	3,391 30	4,178	11,345 94	28,142 91	18,401 94	: :
Tennessee	34,244 77	: :	55,284 66	56,573 59	: :	154	781 43	13,280 54	291 06	: :
Georgia	14,929 56	864 00	17,563 00	65,162 75	2,021 60	1,948	6,095 60	24,454 33	4,133 92	: :
Louisiana	6,109 72	: :	12,756 54	177 35	: :	430	1,357 27	9,773 09	13,504 09	408 05
Mississippi territory	958 48	: :	583 37	1,045 90	: :	73	371 98	4,837 74	750 47	: :
Illinois territory	214 91	: :	549 23	701 26	: :	18	36 75	1,248 80	: :	: :
Michigan territory	: :	: :	: :	: :	: :	28	60 00	1,817 10	71 05	: :
Indiana territory	923 20	: :	641 50	2,508 17	: :	5	17 44	3,139 59	: :	: :
Missouri territory	1,631 08	: :	833 50	622 89	: :	6	47 00	1,861 46	: :	: :
District of Columbia	: :	: :	: :	: :	: :	316	1,747 57	14,872 62	4,413 96	1,998 90
Total	750,503 22	91,616 59	1,305,160 32	742,398 57	159,229 00	76,616	165,717 31	927,444 47	825,132 83	72,807 92

AGGREGATE STATEMENT—continued.

STATES.	DUTIES ACCRUING ON				Interest & additions received on duties not punctually paid	United States' moiety of fines, penalties, & forfeitures recovered	Total duties accruing	Total duties received by collectors.	Paid to the Treasurer.	Expences of collection
	Stamps.		Goods, &c. manufactured in the United States.	Household furniture and gold and silver watches.						
	On stamped paper and bank notes.	Paid by banks in lieu stamp duties.								
New-Hampshire	646 70	1,020 28	4,540 76	3,753 00	61 79	81 00	50,963 31	40,570 06	37,482 58	3,603 05
Massachusetts	5,520 74	9,339 73	56,784 89	5,063 00	213 06	926 79	528,455 64	432,296 01	403,079 16	25,415 94
Vermont	35 75	: :	9,250 40	2.976 50	328 95	479 19	71,023 45	62,057 70	56,649 92	5,360 33
Rhode-Island	1,131 82	1,466 01	910 47	1,766 50	29	: :	47,750 42	60,071 68	62,915 22	4,046 72
Connecticut	9,126 97	3,015 91	20,504 80	6,264 00	67 06	2,040 73	201,199 16	146,777 35	140,541 51	9,522 57
New-York	57,725 72	18,661 48	157,176 79	40,069 50	2,595 70	1,788 21	1,223,231 62	930,192 54	922,256 21	41,444 17
New-Jersey	4,868 90	2,105 66	28,546 87	9,311 50	396 65	251 92	211,705 21	149,135 93	141,634 13	9,379 78
Pennsylvania	74,470 96	15,638 22	228,188 88	: :	3,325 00	1,490 28	1,380,020 41	1,087,757 00	1,041,642 35	50,590 94
Delaware	3,769 01	753 54	10,803 31	3,377 50	22 15	: :	54,394 87	42,641 83	34,689 03	2,442 12
Maryland	47,590 18	8,166 19	70,746 17	2,988 50	890 15	249 00	451,556 15	341,098 08	313,244 79	15,324 20
Virginia	33,235 88	6,061 96	88,154 31	: :	2,080 25	264 98	709,206 62	569,432 39	533,299 05	38,198 43
North-Carolina	11,909 15	2,852 40	12,801 23	: :	481 57	72 76	284,964 50	208,285 02	180,714 43	14,662 48
Ohio	8,964 82	1,870 65	23,270 60	3,207 50	752 33	193 00	172,152 46	132,032 94	122,249 01	10,592 03
Kentucky	7,937 97	1,531 18	33,184 46	: :	1,472 01	149 33	284,649 93	231,559 05	213,668 01	15,009 46
South-Carolina	18.156 65	4,093 51	10,156 58	7,673 50	550 40	96 00	204,922 75	176,793 59	161,029 62	11,897 02
Tennessee	2.118 92	347 77	15,373 43	252 50	1,141 20	: :	179,680 87	128,787 97	120,539 39	8,305 90
Georgia	6,302 95	1,070 69	8,993 25	3,521 00	380 93	20 00	155,513 58	109,580 38	89,466 95	7,012 68
Louisiana	10,821 53	1,920 00	1,283 03	: :		10	1,039 80	59,150 57	53,404 88	51,214 77	4,327 36
Mississippi territory	1,191 02	: :	1,158 61	: :	23 85	: :	10,921 42	10,451 28	7,749 05	2,395 94
Illinois territory	4 50	: :	220 14	: :	: :	: :	2,975 59	1,966 41	: :	792 54
Michigan territory	16 35	: :	39 46	: :	: :	: :	2,003 96	2,005 05	: :	622 34
Indiana territory	: :	: :	1,064 44	: :	: :	: :	8,294 34	4,569 56	4,958 43	894 43
Missouri territory	93 90	: :	162 68	: :	17 30	: :	5,269 81	3,353 04	: :	772 07
District of Columbia	28,569 31	4,507 92	10,309 97	2,810 00	27 11	: :	69,257 26	61,352 49	58,218 58	3,263 49
Total	334,209 70	84,422 10	793,625 53	93,034 50	14,827 85	9,142 99	6,369,272 90	4,986,262 23	4,697,252 19	285,875 89
Deduct amount of duties refunded or remitted—[See Note 1.]							126,769 35			
Dollars,							6,242,503 55			
Deduct amount of extra allowances by the president, and of allowances made under the second section of the act of March 3d, 1815, properly chargeable to the collection of the direct tax—[See Note 2.]										6,598 32
Dollars,										279,277 67

Statement

Of the amount of duties which have accrued on various goods, wares and merchandise manufactured in the United States, from the 18th day of April, 1815, to the 22d of February, 1816, being the period during which those duties were in force.

STATES.	Iron.	Nails, brad and sprigs.	Candles.	Hats, caps and bonnets	Paper.	Playing & visiting cards.	Saddles and bridles.	Boots and bootees.	Beer, ale and porter.	Tobacco, segars and snuff.	Leather.	Umbrellas and parasols.	Gold, silver & plated wares.	Total amo't.
N. Hampshire	134 45	168 42	10 24	894 82	167 54	: :	672 41	392 33	2 06	167 44	3,739 61	7 71	143 80	6,500 83
Massachus'tts	2,753 48	21,209 18	9,641 68	8,804 41	4,905 31	92 89	1,117 18	3,469 57	2,108 18	5,014 78	23,255 10	3 20	2,513 41	84,888 87
Vermont . .	584 82¼	1,007 16	: :	1,756 32¾	1,115 57¼	: :	1,557 92¾	487 43¾	: :	: :	4,654 82	: :	490 86	11,654 92¾
Rhode Island	3 60	7 89	: :	190 39	: :	: :	55 60	144 18	87 19	91 60	609 26	: :	174 74	1,364 45
Connecticut	1,735 12½	1,154 21	2,966 31½	4,506 54½	1,960 43	: :	1,905 97	1,151 14	: :	400 27	7,436 11	56 57	1,404 04	24,676 72½
New-York .	3,567 63	30,701 50	1,186 91	27,064 22¼	4,509 22½	: :	6,277 85½	10,1[illegible]6 73¾	19,232 48½	44,147 13	36,216 95¾	1,107 38	9,725 71	195,843 74¼
New-Jersey .	8,885 11	3,699 97½	23 62	5,074 54	2,891 61	: :	733 89½	1,331 14	860 42	1,131 17	9,317 78	: :	1,520 46	35,469 72
Pennsylvania	27,941 20	31,876 87¾	2,486 00	31,416 41	11,139 77¾	8 33	17,144 03	10,484 18¼	17,142 54	61,097 39½	42,314 49½	2,724 00¾	12,202 91¾	267,978 16¼
Delaware . .	179 92½	868 38	: :	1,670 64	1,368 39	: :	180 12	366 27	445 17	3,010 86	4,181 83½	: :	222 19½	12,493 78½
Maryland . .	4,983 86½	9,368 95½	4,514 30	14,799 90	1,212 73	: :	3,572 70½	6,244 39¼	4,878 90	19,767 96½	13,009 05	635 04	2,638 14¼	85,605 95
Virginia . . .	4,982 86	1,800 47½	2,834 29	12,994 35½	427 75½	: :	10,440 74½	5,168 43¾	598 87½	19,893 17½	19,185 29¼	: :	1,389 34	79,715 60
N. Carolina .	762 06	229 73¾	11 45½	3,641 49¾	192 16	: :	4,207 38¼	806 84	3 23	690 82	4,934 01¼	: :	459 91	15,989 10½
Ohio	1,150 10¼	1,790 01¾	: :	4,328 37	927 51	: :	4,589 72¼	989 74¾	1,445 59	3,135 55	9,422 78½	: :	542 80	28,272 79½
Kentucky . .	670 83½	877 51¾	250 56	5,901 94	377 46¼	: :	8,292 10¾	1,552 08	434 33½	9,855 91	10,089 33½	: :	1,498 50½	39,800 58¾
S. Carolina .	285 25¼	38 08¼	2,004 79	2,375 16½	5 80	: :	1,741 48¼	1,124 61	: :	545 77	4,630 57½	: :	73 86	12,845 38
Tennessee .	1,267 48	610 81¼	42 12¼	2,961 16¾	115 84¼	: :	5,597 62¼	351 43½	59 77½	891 45¾	5,310 92½	: :	358 87	17,567 51
Georgia . . .	15 44	263 62	1,111 34	1,644 90	: :	: :	4,748 44	454 38	: :	548 15½	2,126 38½	: :	21 16	10,933 82
Louisiana . .	: :	: :	90 31	233 34	: :	: :	164 [illegible]2	158 27	: :	851 72	899 95	: :	76 97	2,475 08
Illinois Ter.	: :	: :	: :	66 50½	: :	: :	65 25	7 26	: :	: :	184 35½	: :	: :	323 37
Michigan Ty.	: :	: :	: :	18 92	: :	: :	: :	: :	: :	: :	39 62	: :	: :	58 54
Indiana Ter.	: :	: :	: :	347 46½	: :	: :	270 84¼	44 67¼	: :	24 06¼	509 46¼	: :	: :	1,196 50½
Missouri Ty.	: :	: :	: :	76 01	: :	: :	76 62	: :	: :	12 08	236 81	: :	: :	401 52
Mississip. Ty.	: :	77 44½	: :	666 47	: :	: :	1,015 94	179 63	: :	52 28	892 69¼	: :	151 65	3,036 10¼
Dis. Columbia	: :	1,173 27	314 36½	2,399 05	138 50½	: :	557 03	869 55	1,376 17½	2.619 60	2,250 49½	: :	1,029 21½	12,727 25½
Total . . .	61,903 23¾	106,924 12½	27,488 79¾	133,833 36	31,455 62	101 22	74,934 89¾	45,884 29¾	48 674 92½	173,949 19	205,447 71¼	4,533 90¾	36,638 55½	951,769 84½

Revenue office, November 27, 1816.

[Here follows an abstract of the official emoluments and expenditures of the collectors of internal duties and direct tax of the United States, from the 1st of January to the 31st of December, 1815, inclusive, conformably to the 11th section of the act of congress passed August 2d, 1813, which we think unnecessary to publish. In one case a clear balance in favor of the collector of $5,892 is shewn—in two cases, a balance of between 4 and 5,000; in four cases, of between 3 and 4,000; in five cases, of between 2 and 3,000; in twenty-seven cases, of between 1 and 2,000—all the rest under 1000, averaging less than $500 for each.]

Champlain and the Hudson.

We have already published many reports of the commissioners, &c. respecting the noble work of uniting the great lakes of Erie, Huron, Michigan and Superior, &c. &c. with the Atlantic, by means of a canal from the first named to the Hudson, to the city of New York, and the ocean, but we do not recollect to have seen and published any thing respecting the "northern canal," so called, designed to unite lake Champlain and lake George with the said river—an object of less ultimate importance than the other, but easier accomplished and of more immediate interest. The following, being a late report to the legislature, is very interesting. There seems to be no doubt of its practicability; and as it is entirely within the present means of the state and people of New-York, we hope to see it commenced at the earliest day possible. Success in it, would secure the speedy accomplishment of the greater and more important work.

Report of the board of commissioners on the northern, or Champlain canal.

The advantages which will result from the connexion of lake Erie with the navigable waters of the Hudson, by means of a canal, have been so frequently elucidated, and are indeed so obvious to every one who possesses a correct geographical knowledge of the west, that it has been deemed unnecessary to enumerate them. But presuming that the benefits to be derived from a similar communication with lake Champlain, are not fully understood or duly appreciated, the commissioners ask the indulgence of briefly pointing out a few of the most prominent of these benefits.

That part of this state which is contiguous to lakes George and Champlain, abounds in wood, timber, masts, spars, and lumber of all kinds, which, transported by the northern canal, would find a profitable sale along the Hudson, and in the city of New York, instead of being driven, as much of those articles have heretofore been, to a precarious market, by a long and hazardous navigation to Quebec.

Some idea may be formed of the immense quantity of lumber which would be conveyed on the contemplated canal, from the following statement, made on the best authority, and which embraces only that small section of the northern part of this state, from whence t' e transportation is carried on to the city of New York, or to intermediate markets.

Within that tract of country, embracing the borders of lake George, and the timber land north and west of the great falls in Luzerne, there are annually made, and transported to the south, two millions of boards and plank; one million feet of square timber, consisting of oak, white and yellow pine, besides dock logs, scantling, and other timber to a great amount.

A considerable portion of the northern part of this state is rough and mountainous, and, in a great measure, unfit for agricultural improvements.—These broken tracts are covered with native forests which, by the contemplated canal, would furnish vast supplies of wood and lumber for many years; and thus the great and increasing population which occupies the margin of the Hudson, would be supplied with boards, plank, timber, fencing materials, and even fuel, with less expence, than from any other quarter; while, at the same time, the lands to the north, considerable tracts of which belong to the people of this state, would be greatly increased in value.

The mountains in the vicinity of lakes George and Champlain, produce a variety of minerals, among which are found, in inexhaustible quantities, the richest of iron ores. Several forges are in operation in the counties of Washington, Warren, Essex and Clinton, the number of which may be indefinitely increased; and the iron which they produce is very little, if at all, inferior in quality to the best iron manufactured in the United States: nor can it be doubted that, after the completion of the contemplated canals, the middle and western parts of this state would be furnished with this necessary article on more advantageous terms than it can at present be procured.

The inhabitants of a large tract of country on both sides of lake Champlain, embracing a considerable portion of the state of Vermont would find, by the northern canal, a permanent market in the city of New York, or at intermediate places, for their pot and pearl ashes, and also for all their surplus agricultural productions, from whence they would also be cheaply supplied with all the necessary articles of foreign growth.

The iron of the northern part of this state, which at present is unwrought in the mine, and the fine marble of Vermont, which now lies useless in the quarry, would be converted to useful and ornamental purposes, in the west, in exchange for salt and gypsum; and thus the large sums which are annually sent abroad for the purchase of iron, of salt, and of gypsum, would be retained among our citizens, and added to the permanent wealth of the state.

In short, the connexion of lake Champlain with the Hudson, by means of a canal, would greatly enhance the value of the northern lands; it would save vast sums in the price of transportation; it would open new and increasing sources of wealth; it would divert from the province of Lower Canada, and turn to the south, the profits of the trade of lake Champlain; and, by imparting activity and enterprise to agricultural, commercial, and mechanical pursuits, it would add to our industry and resources, and thereby augment the substantial wealth and prosperity of the state.

The examination and levels for this canal, have been made, under the direction of the commissioners, by col. Lewis Garin, and the line for the same has been marked out upon the maps herewith presented. There are two places of departure from the Hudson, in order to connect that river with lake Champlain, each of which affords a very favorable route, in point of soil, to be excavated, and of materials for the artificial works. One of these routes, by commencing at the mouth of fort Edward creek, and pursuing the valley of that creek to the summit level, and then following the ravine of Woodcreek, will reach Whitehall, in the distance of twenty-two miles. This route was formerly deemed most eligible by a board of commissioners, composed of general Schuyler, and others. It is, however, supposed, by the engineer, that the other route may be preferable, which commences about six miles further down the river, near the mouth of Moses' kill, and of Dead-creek joined to a short length of artificial canal, forms the summit level from whence it proceeds—partly by the natural channel of Wood-creek, and partly by artificial cuts, which greatly shorten the distance to Whitehall. The length of this route is twenty-eight miles, and it passes over a soil which is, in general, remarkably favorable, consisting principally of vegetable mould, loam and clay. At the northern termination of the canal, a few yards of limestone excavation will be necessary; this however, is not deemed an unfavor-

able circumstance, as the stone are of such a quality as will be useful in the construction of locks, and it may be remarked that the materials for the construction of the locks, between lake Champlain and the Hudson, can be procured with little difficulty.

Between the Hudson and lake Champlain, nine locks will be necessary, viz. three at the Hudson, of 7,779 feet lift each, by which the summit level will be attained, and by a deep cutting, the greatest depth of which will be 12,465 feet, and the length of which is about two miles; the summit level will be extended fifteen miles, and will terminate about one mile south of fort Ann. At this place, two locks will be necessary, of 6,217 feet lift each. Between this point and Whitehall, two locks, the first of 8,223 feet lift, and the next of 9,243 feet lift, are to be made. At Whitehall, the canal is to be connected with lake Champlain, by two locks of 8,550 feet lift each. About fifteen miles of this route will need no excavation, as the canal, for that distance, will occupy the natural channels of Moses' kill, Dead-creek, and Wood-creek. In order to turn off, as much as possible, the superfluous waters of freshets, and to ensure, at all times, a sufficiency of water on the summit-level, it is proposed to erect a dam across Half-way brook, of eighteen feet in height, half a mile above the mouth of said brook, and by a natural ravine leading to the south, to direct so much of the water of said brook to the summit-level, and from thence, by several waste-wiers, into the Hudson, as may be necessary for the convenience of the canal.

The water, in the canal, is not to be less than thirty feet wide at the surface, twenty feet at the bottom and three feet deep; and the locks to be seventy five feet long, and ten feet wide in the clear.

By the mode of calculation heretofore adopted by the commissioners, the whole expence, between lake Champlain and the Hudson, at the mouth of Moses' kill, will not exceed two hundred and fifty thousand dollars.

From the mouth of Moses' kill it is proposed to improve the channel of the Hudson, for the purpose of navigation, as far south as the village of Stillwater, at the head of Stillwater falls. This may be effected in the following manner: By erecting a dam of three feet in height across the Hudson, at the head of fort Miller falls, the river above, as far as fort Edward, would at all times afford a sufficiency of water for boats drawing three feet. To overcome the descent of fort Miller falls, a side cut or artificial canal, of about one mile in length, and with two locks of 10,321 feet lift each, will be necessary.—These works, including the dam, locks, excavation, towing path, and all other expenses, may be estimated at fifty thousand dollars.

Two and a half miles below the south end of this canal, at the head of Saratoga falls, a dam three feet in height is to be made across the river, and a side cut round the falls, similar to the above, of about one mile in length, with two locks of 8,198 feet lift each. It is believed, that all the artificial works, at this place, may be constructed for thirty five thousand dollars.

Thirteen miles below this place, at the head of Stillwater falls, another dam of three feet in height, will, in like manner, insure a good boat navigation up to the Saratoga falls.

The cost of this dam, the construction of a towing path, with several bridges, the purchase of Schuyler's mill which it is supposed will be necessary, together with all the other expences of this section, are estimated at fifty thousand dollars.

From the village of Stillwater, at a point above the dam last mentioned, it is proposed to cut an artificial canal, to the village of Waterford, where it is to be connected with the Hudson. This canal will be supplied with water from the river, at its upper end. Its length will be nearly twelve miles, and the whole descent is 76,464 feet; which will require eight locks. The excavation of this canal, for some distance near the upper end, will be considerably expensive as it passes through a slate rock, the middle and lower parts, however, are very favorable.

The expences from Stillwater to Waterford, may be estimated as follows:—

76 feet lockage, at 1000 dolls. per foot,	76,000
12 miles of excavation and towing path, with bridges, culverts, and other necessary works, at an average of 30,000 dolls. per mile,	360,000

Recapitulation of Expences.

From Whitehall to the Hudson,	$250,000
Dam, side cut, and other works, at fort Miller falls,	50,000
Do. at Saratoga falls,	35,000
To Stillwater, including dam, &c.	50,000
From Stillwater to Waterford including lockage,	436,000
Add for contingencies, engineers, and superintendance,	50,000
Total,	$871,000

Whether the canal from lake Champlain, enters the Hudson at fort Edward creek, or at Moses' kill, is not very material in the estimate of expence; and the commissioners wish to be explicitly understood, that they consider this question as still open, and as one which will require mature deliberation. It is ascertained that both routes are equally practicable

The termination of the northern canal in the Hudson, at Waterford, will afford the cities of Albany and Troy, and the villages of Lansingburgh and Waterford, a full participation of its benefits; and its approximation to the great western canal, will open the most beneficial channels of communication between every great section of the country, and furnish every facility for promoting the activity, and enlarging the sphere of inland trade, which constitutes one of the principal elements of national opulence, prosperity and greatness. And before the lapse of half a century, those who succeed us, will witness, in the consolidation of those cities and villages into one great city, a union of interests and sympathies which will totally dissipate the apprehensions and jealousies that may now exist.

All which is respectfully submitted.

DE WITT CLINTON,
S. VAN RENSSELAER,
MYRON HOLLEY,
SAMUEL YOUNG.

Albany, 18th March, 1817.

Battle of Tippecanoe.

FROM THE NATIONAL INTELLIGENCER.

Messrs. Gales and Seaton,

In Dr. Ramsay's history of the American revolution continued by Dr. Smith, to the treaty of Ghent, I find in pages 142, 3, and 4, of the 3d volume, an account of the transactions which preceded the battle of Tippecanoe, so essentially different from the facts, particularly that part which states that general Harrison encamped his troops on ground selected or pointed out by the Indians, that I am induced, from regard to historic truth, and the

reputation of a distinguished officer to request the publication of the following extract from M'Affee's history of the war in the Western country, and the subjoined statements of the honorable Waller Taylor, now a senator from Indiana, and lt. col. Snelling, of the army, then a captain in the 4th United States' regiment of infantry. JUSTICE.

THE EXTRACT.

"To this it was observed, that as the Indians seen hovering about the army, had been frequently invited to a parley by the interpreters, who had proceeded some distance from the lines for the purpose; and as these overtures had universally been answered by menace and insult, it was very evident that it was their intention to fight; that the troops were in high spirits and full of confidence; and that advantage ought to be taken of their ardor to lead them immediately to the enemy. To this the gov. (Harrison) answered, that he was fully sensible of the eagerness of the troops; and admitting the determined hostility of the Indians, and that their insolence was full evidence of their intention to fight, yet he knew them too well to believe that they would ever do this, but by surprize, or on ground which was entirely favorable to their mode of fighting. He was therefore determined not to advance with the troops, until he knew precisely the situation of the town, and the ground adjacent to it, particularly that which intervened between it and the place where the army then was—that it was their duty to fight when they came in contact with the enemy—it was his to take care that they should not engage in a situation where their valor would be useless, and where a corps upon which he placed great reliance would be unable to act; that the experience of the last two hours ought to convince every officer, that no reliance ought to be placed upon the guides, as to the topography of the country; that relying on their information, the troops had been led into a situation so unfavorable, that but for the celerity with which they changed their position, a few Indians might have destroyed them: He was therefore determined not to advance to the town, until he had previously reconnoitered, either in person, or by some one, on whose judgment he could rely. Major Daveiss immediately replied, that from the right of the position of the dragoons, which was still in front, the opening made by the low grounds of the Wabash could be seen; that with his adjt. D. Floyd, he had advanced to the bank, which descends to the low grounds, and had a fair view of the cultivated fields and the houses of the town and that the open woods, in which the troops then were, continued without interruption to the town.—Upon this information, the governor said he would advance, provided he could get any proper person to go to the town with a flag. Captain T. Dubois of Vincennes having offered his services, he was dispatched with an interpreter to the Prophet, desiring to know whether he would now comply with the terms that had been so often proposed to him. The army was moved slowly after in order of battle. In a few moments a messenger came from captain Dubois, informing the governor that the Indians were near him in considerable numbers, but that they would return no answer to the interpreter, although they were sufficiently near to hear what was said to them, and that upon his advancing, they constantly endeavored to cut him off from the army. Gov. Harrison during this last effort to open a negociation, which was sufficient to shew his wish for an accommodation, resolved no longer to hesitate in treating the Indians as enemies. He therefore recalled captain Dubois, and moved on with a determination to attack them. He had not proceeded far however, before he was met by three Indians, one of them a principal counsellor to the Prophet. They were sent, they said, to know why the army was advancing upon them—that the Prophet wished if possible to avoid hostilities; that he had sent a pacific message by the Miami and Potawatamie chiefs, who had come to him on the part of the governor—and that those chiefs had unfortunately gone down on the south side of the Wabash. A suspension of hostilities was accordingly agreed upon; and a meeting was to take place the next day between Harrison and the chiefs, to agree upon the terms of peace. The governor further informed them, that he would go on to the Wabash and encamp there for the night. Upon marching a short distance further he came in view of the town, which was seen at some distance up the river upon a commanding eminence. Major Daveiss and adjt. Floyd, had mistaken some scattered houses in the fields below, for the town itself. The ground below the town being unfavorable for an encampment, the army marched on in the direction of the town, with a view to obtain a better situation beyond it. The troops were in an order of march, calculated by a single conversion of companies, to form the order of battle, which it had last assumed, the dragoons being in front. This corps however soon became entangled in ground covered with brush and tops of fallen trees. A halt was ordered, and major Daveiss directed to change position with Spencer's rifle corps, which occupied the open fields adjacent to the river.—The Indians seeing this manœuvre, at the approach of the troops towards the town, supposed that they intended to attack it and immediately prepared for defence. Some of them sallied out, and called to the advance corps to halt. The governor upon this rode forward, and requested some of the Indians to come to him, assured them, that nothing was farther from his thoughts, than to attack them—that the ground below the town on the river, was not calculated for an encampment, and that it was his intention to search for a better one above. He asked if there was any other water convenient beside that which the river afforded; and an Indian with whom he was well acquainted, answered, that the creek, which had been crossed two miles back, ran through the prairie to the north of the village. A halt was then ordered, and some officers sent back to examine the creek, as well as the river above the town. In half an hour, brigade major Marston Clarke and major Waller Taylor returned, and reported that they had found on the creek, every thing that could be desired in an encampment—an elevated spot, nearly surrounded by an open prairie, with water convenient, and a sufficiency of wood for fuel. An idea was propagated by the enemies of governor Harrison, after the battle of Tippecanoe, that the Indians had forced him to encamp on a place, chosen by them as suitable for the attack they intended. The place however was chosen by majors Taylor and Clarke, after examining all the environs of the town; and when the army of gen. Hopkins was there in the following year, they all united in the opinion, that a better spot to resist Indians, was not to be found in the whole country."

The above account taken from MacAffee's history of the war in the western country, as it relates to the situation of the camp occupied by the army under the command of gov. Harrison, on the night between the 6th and 7th of Nov. 1811, is entirely correct. The spot for encampment was selected by col. Clark, (who acted as brigade major to

general Boyd) and myself. We were directed by gov. Harrison to examine the country up and down the creek until we should find a suitable place for an encampment. In a short time we discovered the place on which the army encamped, and to which it was conducted by us. No intimation was given by the Indians of the wish that we should encamp there nor could they possibly have known where the army would encamp until it took its position. The only error in the above extract is, in saying that major Clark and myself were sent *back*, by which it would appear that the army retrogaded to take up its encampment; this is not the fact, the army filed off in front of the town at right angles to the Wabash to reach its encampment. It has ever been my belief that the position we occupied was the best that could be found any where near us, and I believe that nine tenths of the officers were of that opinion. We did not go on the Wabash above the town, but I am certain that there was no position below it that was eligible for an encampment.

WALLER. TAYLOR.

February 22, 1817.

My situation as a platoon officer prevented my having personal knowledge of the transactions above related, so far as respects the selection of the encampment of the army under general Harison by his staff officers; but having carefully purused the extract from McAffee's history, I have no hesitation in saying that I believe it to be substantially correct; and that in my opinion the ground on which the army encamped combined the advantages of wood, water, and a defensible position, in a greater degree than any other spot in that section of the country; the ground on the Wabash was wholly unfit, the highland being destitute of water, and the intervale (or bottom land as it is called) being without wood, and incapable of being defended.

J. SNELLING,
Lieut. colonel 6th Infantry.

Washington, February 28, 1817.

Royal Catechism of Ferdinand VII.

FROM THE LONDON MORNING CHRONICLE.

At a certain period of British history, marked by the rapid strides of ministerial influence and court persecution, and thence justly called the *plot-discovering age*, Swift, writing to Pope, sportively observed, "that indeed he had often wished, for some time past, that a political catechism might be published by authority four times a year, in order to instruct us how we are to speak, write and act, during the current quarter." The present *enlightened* minister of Spain, whose familiarity with British works cannot be doubted, has availed himself of the dean's advice, and on behalf of his master, as well as for the spiritual and political good of the people, whose destinies are in his hands, has caused the reverend bishops to step forward, with all their zeal, to eradicate from their respective flocks the dreadful principles they imbibed during the late revolution, and to cleanse them from the contamination with which they had been infected by their past intercourse with foreigners, particularly British heretics. The bishops of Badajoz and St. Andero have been foremost to comply with the wishes of the Madrid cabinet, and we now lay before our readers the royal catechism of the first, to which we shall on another occasion subjoin its accompanying pastoral charge. These two precious documents were distributed among the faithful on king Ferdinand seventh's last birth day, and of them we offer no other than a literal translation, without comment, for the benefit of the people of England, and as a most illustrative specimen of that beautiful system we have established on the continent. In alluding to the transactions of Spain, we have frequently met with more severe than merited animadversions from a certain class of our cotemporaries, who possibly might wish a similar catechism gazetted among ourselves, but unfortunately we are fully warranted by authentic papers, of which the decrees to restore the Inquisition and to place public education in the hands of friars and nuns, are not the least remarkable. Things have advanced in Spain so rapidly, since the overthrow of the cortes, that nothing is now wanting to complete the existing system than the building of another *Dionysius's ear;* and undoubtedly if the treasures from Spanish America could only flow in a little faster, this would be the next laudable undertaking, for which the ruins and site of *La Cassa de la China* would exactly suit. It ought, however, to be observed, that the bishop of Badajoz was one of the most active prelates in writing pastoral letters in favor of the French, formerly a flatterer of Godoy, and his present production is one of the best proofs of what kings and ministers would do, if they were not checked by the voice of the people, and the public press.

ROYAL CATECHISM.

CHAP. I.

What a king is, and by what means it is possible to become one.

Q. What is the king?—A. A temporal and supreme power, instituted by God, to govern nations with equity, justice and tranquility.

Q. By how many means can a man attain to be a king?—A. By adoption, gift, exchange and the right of war.

Q. To how many may the above means be reduced? A. To two, viz. by election and by hereditary succession.

Q. Which of the two is the oldest?—A. That of election.

Q. Which of the two is the most convenient?—A. That of hereditary succession, for three reasons.

Q. Which is the first reason?—A. Because it is the most natural to the perpetuity of the kingdom.

Q. Which is the second?—A. Because it is the most interesting to its conservation.

Q. Which is the third?—A. Because the dignity of families adds glory and splendor to the kingdom.

Q. From whom does he, who is king by succession, hold his power?—A. From God.

Q. And he who is so by election or conquest?—A. From God also.

Q. On what authority is this proved?—A. That of the scriptures, which say, speaking of all kings, without distinction, "God is he who gave ye your power."

Q. Who is now king of Spain?—A. Our lord Ferdinand seventh, whom God miraculously preserved, and may he preserve him to us many years.

CHAP. II.

Of various names which kings have in the scriptures.

Q. What names do the scriptures give to kings? A. Many, and all magnificent and mysterious.

Q. Say how many and what?—A. They call them Gods, Christs, Powers, Princes and Fathers.

Q. Why are they called Gods?—A. Because, in their kingdoms, they are the visible images of God.

Q. Why are they called Christs?—A. Because they are annointed, or may be so at the time of their coronation.

Q. Why are they called Powers?—A. Because such they are, and in their kingdoms they hold this power over every thing temporal.

Q. Why are they called Princes?—A. Because they have the principal and first place in their kingdom.

Q. Why are they called Fathers?—A. Because they attend to the good of their vassals, as fathers do to that of their children.

Q. Why are the kings of Spain called Catholic? A. In consequence of the distinguished zeal with which they have and do defend the faith and christian religion.

CHAP. III.

Of the superiority of the king and his attributes.

Q. Who is superior to the king?—A. Only God, in the civil and temporal matters of his kingdom.

Q. Is the king subject to the people?—A. No: since this would be for the head to be subject to the feet.

Q. How then is it that God says, that in the multitude of the nation the dignity of the king consists? A. Because his glory is greater when the nation is most numerous.

Q. Which are the employments of a king?—A. Four principal ones, in which many others are included.

Q. Which is the first?—A. To govern the kingdom with justice and equity.

Q. Which is the second?—A. To sustain the rights of his crown.

Q. Which is the third?—A. To defend the kingdom from his enemies.

Q. Which is the fourth?—A. To protect the poor, the orphan and the widow, from the violence of the powerful.

Q. According to this, the whole superiority of the king yields in favor of his vassals?—A. So it is, whence they ought to venerate and uphold him.

CHAP. IV.

Of the legislative power of the king.

Q. Can the king impose laws on his vassals?—A. Yes; because God has given him legislative power over them.

Q. Can he impose laws which bind from a principle of conscience?—A. Yes; according to that of the apostle: "be subject, not only through dread of the anger, but also through the obligation of conscience."

Q. For laws to be binding, is it necessary for them to reach the hearing of all?—A. No: since if it was so, they seldom would be binding.

Q. And is it necessary that they should be promulgated?—A. Yes: because laws are then made when they are promulgated.

Q. And is this promulgation to be performed in all the cities of the kingdom?—A. This is not necessary; it is sufficient if it is done at court, or in any other customary place.

Q. And is any time to elapse after their promulgation?—A. Yes: and this is conformable to natural reason.

Q. In order that royal laws may be binding, is it necessary for the people to accept them?—A No: because this would be to govern according to their will, rather than that of the sovereign.

Q. When the law appears burthensome, what is it the vassal is to do—A. To obey, and humbly to supplicate.

CHAP. V.

Of the coercive power of the king.

Q. Can the king impose laws which bind under a penalty?—A. Yes: because he holds coercive power, and not without reason does he hold the sword.

Q. Can he impose mixed laws, which bind jointly, through conscience and penalty?—A. Yes: because these two things are not incompatible in one and the same law.

Q. Does ignorance exempt from penalty?—A. No: because this would be a pretext for no one to be subject to it.

Q If the law commands that not grain or arms should be carried out of the kingdom, can the vassal lawfully export them for once?—A. No: because the exercise of this discretion would leave the kingdom without arms and provisions.

Q. Is the vassal bound to accept and endure the penalties imposed?—A. Yes: because they are just and established by law.

CHAP. VI.

Of the protection of the king over the church.

Q. Is the king protector of the church?—A. Yes, in the quality of a good son, as is affirmed by the councils and fathers.

Q. When is it they give him this protection?—A. When they give him the power to govern his kingdom.

Q. Can the king make use of the authority and severity of his laws, to defend and cause those of the church to be observed?—A. He can: because in this consists his protection over it.

Q. Is this to place his hand in the sanctuary?—A. No; it is merely taking care that abominations do not enter into the sanctuary.

Q. Is this to exercise power in spiritual and sacred matters?—A. No; it is only to defend the rights of this same spiritual jurisdiction.

CHAP. VII.

Q. What kinds of vassals has the king?—A. Two; the ones exempt, and the others who are not so.

Q. How are the exempt vassels called in the scriptures?—A. They are called children.

Q. Who are these exempt vassals?—A. The ecclesiastical persons of both clergies.

Q. And why are they called exempt?—A. Because they are so, so far as regards their persons, property, and controversies.

Q. In what does the exemption of their persons consist?—In that they cannot be judged nor punished by a secular judge.

Q. In what does the exemption of their property consist?—A. In that they do not pay tributes or imposts.

Q. In what does the exemption of their controversies consists?—A. In that they cannot be carried before a profane tribunal.

Q. And is this exemption of divine or human right?—A. It is most conformable to divine right.

Q. Why?—Because God, in the ancient law, exempted Priests and Levites from similar bonds.

CHAP. VIII.

Of the honor which vassals owe to the king.

Q. What is it vassals owe to their king?—A. Honor; according to that of St. Peter, FEAR GOD AND HONOR THE KING.

Q. And is this a precept or an exortation?—A. It is a natural and divine precept.

Q. And where is this contained?—A. In the fourth of the law of God.

Q What is it this honor which we owe to the king binds us to?—A. To love him, fear him, respect him, obey him, and keep fidelity to him.

Q. How did the first Christians conduct themselves towards the heathen emperors?—A. By honoring them in a most exemplary manner.

Q. Did they ever mix in any conspiracy against the emperors?—A. Never; they were always the most faithful vassals.

CHAP. IX.

Of the respect vassals owe to their king.

Q. Are vassals bound to respect the king?—A. Yes, because he is their superior father, and the IMAGE OF GOD.

Q. And for what other reasons?—A. Because the king is a sacred and anointed person and Christ of the Lord,

Q. Is it a sin to murmur, curse, or speak ill of them?—A. Yes; because God says, "Do not murmur at your Gods, nor curse the prince of your nation."

Q. And what kind of sin is it?—A. A mortal sin, if it is in weighty matters, and a venial one if in light affairs.

Q. Does he who murmurs against the government, murmur against the king?—A. Yes, because they are correlatives.

Q. Does he who speaks ill of the ministers, speak ill of the king?—A. Yes, because they are his envoys, and represent his person.

Q. He who despises the king or his ministers, whom does he despise?—A. God, who says, "He who despises you despises me."

CHAP. X.

Of the Love which vassals owe their king.

B. What more is it vassals owe to their king?—A. Love.

Q. In conformity to what precept?—A. Both to the divine and natural one.

Q. Where is this contained?—A. In the same that commands us to honor our parents.

Q. Will the vassal comply in only not abhorring him?—A. No, it is requisite he should positively love him.

Q. What sin is it to abhor the king?—A. A grievous sin, owing to two distinct motives.

Q. To what virtues is this then opposed?—A. To charity and piety.

Q. Why so to charity?—A. Because the king is our neighbor.

Q. And why so to piety?—A. Because he is our superior and father.

Q. Why is the king called father of his vassals?—A. Because he acts towards them as a father towards his children.

Q. How, does he give them their being or their life?—A. No, but he defends and preserves it.

CHAP. XI.

Of the obligations on the part of vassals to pray for their king.

Q. Is the vassal bound to pray for his king?—A. Yes, because he is bound to bear love towards him.

Q. On what authority is this obligation proved?—A. On that of St. Paul, who says, "Let prayers be said for kings."

Q. What is it that is to be prayed for in their behalf?—A. All kinds of happiness, spiritual and temporal.

Q. What did the primitive Christians do?—A. To beseech God, publicly and privately, for the healths of the Emperors.

CHAP. XII.

Of the fear which vassals owe to their king.

Q. Are vassals bound to fear their king?—A. Yes, because this is part of the honor they owe him.

Q. Where is this obligation found?—A. In Ecclesiastics, where it is said, "Son, fear God and the king."

Q. What is fear?—A. To avoid the evil by which we are threatened.

Q. How then is the king any evil with regard to his vassals?—A. Neither is God, nor can he be so—yet we fear him.

Q. And why does a man fear God?—A. Because he believes him to be the author of the punishments prepared for the wicked.

Q. Why is the vassal bound to fear the king?—A. Because in his hands are the punishments established for the guilty.

Q. Ought he to fear being wanting to his oath of fidelity?—A. Yes: because there is nothing secret which eventually is not revealed.

Q. Ought he to fear the repetition of the sin for which he had pardoned him?—A. Yes, because this is to abuse his clemency, and make himself unworthy of it.

CHAP. XIII.

Q. Is there any obligation to obey the king?—A. Yes: because God his given him power to command.

Q. On what authority is this obligation proved?—A. On that of St. Paul, who says, "obey princes and powers."

Q. Is there any obligation to obey their ministers?—A. Yes: because they act for and represent them.

Q Where is this obligation proved?—A. In St. Paul, who says, "Obey the king and his envoys."

Q. And if the king or his ministers should be bad ones?—A. In the same manner, because their power is always good.

Q. Where is this proved?—A. By the same apostle, who says, "Obey your lords, although they be refractory."

Q. And if what they command is certainly bad?—A. No; because we are to obey God before any one else.

Q. And if there is any doubt of what they command being bad or good?—A. It is to be obeyed; because in case of doubt, justice is on the part of the superior.

CHAP. XIV.

Of the fidelity which vassals owe their king.

Q. Is the vassal bound to he faithful to his king?

A Yes, because he owes and swore it.

Q. When did he swear it? A. When the kingdom adjured him in the name of all.

Q. In what does this fidelity consist? A. In not injuring or plotting, directly or indirectly, against the person, life, or rights of the sovereign.

Q. Where is this obligation proved? A. In the scriptures where God says "do not be disposed to touch my Christs."

Q. If any one knows of a conspiracy, is he bound to disclose it? A. Yes; and not to do it, is to render himself an accomplice in it.

Q. And if he knows it under natural secrecy? A. All the same, because the general good is to be preferred to that of individuals.

Q. And if he has sworn to keep the secret? A. Still the same, because an oath can never be made the bond of iniquity.

Q. And if the conspirators are brothers or parents? A. Notwithstanding they are, because the good of the monarchy is above all.

Q. And ought any fraternal admonition recede? A. No; because in similar crimes no amendment is to be expected.

Q. Is that proposition condemned which says, It is lawful to kill a king who is a tyrant?—A. It is, for being erroneous, heretical, seditious and scandalous.

CHAP. XV.

Of the obligations of vassals to pay tributes.

Q. Are vassals bound to pay tributes to the king? A. Yes because they are bound to aid him with their property.

Q. What do you understand by tributes? A. A small portion of one's property paid to the prince in-

order to supply him with the means of saving it all.

Q. And on what authority is this obligation proved? A. On that of Christ himself when he said; "give to Cæsar that which is Cæsar's."

Q. And on what is this founded? A. On the same submission due to the king.

Q. What sin is it not to pay these tributes? A. Grevious or light according to the matter.

Q. To what virtue is this sin opposed? A. To obedience and piety.

Q. Why is it opposed to obedience? A. Because the king commands them to be paid.

Q. Why is it opposed to piety? A. Because he is our superior and father, and thence we are bound to provide for him.

Q. And if the tribute should be unjust? A. To judge of this does not belong to the vassal; and he ought to support it just till the contrary is proved.

CHAP. XVI.

Of the obligations of vassals to aid the king with their persons in case of war.

Q. What thing is war? A. A dissention among princes, ending in battle between armed multitudes.

Q. Is war lawful? A. It is so when the causes are just.

Q. Which are these? A. Self-defence, vindication from injury, or the recovery of usurped lands.

Q. Can vassals of themselves stir up war? A. No; they cannot, because they do not enjoy supreme authority.

Q. Are they bound to serve in them with their persons? A. Even with their lives if it should be necessary, owing to the support they owe the king.

Q. Does he who is ballotted for the war, or cited for an expedition, sin if he flies away, or avoids it without just motives? A. He sins against obedience, against piety, and against justice, if it is in detriment to a third person

Q. Does it belong to a soldier to ascertain whether the war is just or not? A. No; he is to suppose it is, and obey.

Q. What is the obligation of the soldier? To expose his life, do no injury or violence, and to be satisfied with his pay.

Q. Does a soldier sin who passes over to the enemy's army? A. Yes; against obedience and fidelity, and he ought to be punished as a traitor.

Foreign Articles.

ENGLAND, &c.

Flour.—The price of flour at Liverpool was at from 73 to 75*s.* per barrel, and was expected to fall to 70—less than 16 dollars.

A fleet of 21 sail of the line is said to be fitting out in England; report gives it a destination to China.

From a late London paper.—On Monday three or four poor seamen were collected under one of the alcoves of Westminster-bridge.—One man begged: the others were lying upon the benches. A lady gave him a penny; the poor creature instantly ran to a barrow with dog's meat, which had just passed by, bought a piece and swallowed it in a minute A naval lieutenant, who saw this, one who had himself felt some hardships, and seen some hard scenes, was actually overcome by the sight, and could not prevent the tears from running down his cheeks.—He gave the man a 3*s.* piece. A sort of distracted adoration of his benefactor ensued. Mark how nobly this poor fellow behaved! He went directly to the other seamen, said a few words, and was going off with them His benefactor asked him where?—He said he was going to a cook's shop with his followers; but all he knew of them was, that they had been without food as long as he had.

London, December 31.—A new and dreadful instrument of war was tried on Wednesday last, at Chatham; and the experiment completely succeeded. It is designed for the purpose of annoying an enemy entrenched before a fortified town. It consists of a box, or barrel, filled with grenades, and charged with powder sufficient to burst the barrel, and scatter its other contents. The fuse of this machine being lighted, it was rolled down the slope of the parapet into the trenches, where it exploded, and threw the grenades in every direction. The invention is said to be col. Paisley's, of the corps of Sappers and Miners.

FRANCE.

Advices from Bordeaux state that grain of every description has experienced a great fall.

We have had two reports of an insurrection in France and the flight of the Bourbons. One of them came from the Buenos Ayrean commodore, Taylor, cruising off Cuba, who said he had the news from a British packet; the other comes from Curracoa to New-York in 19 days, said to have been brought to St. Bart's by a packet in 26 days. This would bring our accounts from England to the 10th or 12th of February, 12 or 14 days the latest; and there is a *possibility* that there may be something in these reports.

An English paper says that 14,000 persons were implicated in the conspiracy lately detected at Bordeaux.

BRITISH AMERICA.

The idea of laying an embargo to prevent the export of wheat and flour from Canada is said to be abandoned. Flour at Quebec $12 30.

Military law.—"It has been stated yesterday, that lieut. Sampson, adjutant of the 70th regt. expressed himself as follows, viz:—"I have given orders to the officers of the guard to search any house, and at all hours of the night, for his men, and if the owners refuse him admittance, to break open the doors, in which the magistrates of Kingston will support me."

Kingston, U. C. 14th March, 1814.

"SPANISH AMERICA."

Gen. Artigas is said to have completly routed a large royal force near Cumana. Their loss is put at 2000 men.

It is again reported that the patriots have captured Pensacola.

We frequently hear of the Buenos Ayrean commodore *Taylor*, off the coast of Cuba, which he has closely blockaded with his little fleet, consisting of a brig and three schooners, with which he seems to be picking up some very good prizes. He lately sent a message to the governor demanding the release of certain persons who had been captured under the Buenos Ayrean flag, stating if they were not given up he would hang as many Spaniards within sight of the moro of St. Lada—the governor refused to give them up, and if they are injured the probability is that Taylor will do what he has threatened. In boarding American vessels, he appears to conduct himself very correctly; and told the commander of one of the other vessels, who had behaved improperly, if he heard any more of such conduct he would drive him off the station. He supplies himself with provisions, &c. from neutral vessels, but pays the highest market price for every thing that he takes from them.

The following letter was received by a vessel lately arrived at New-York:

Republican brig of war Patriota, off St. Jago de Cuba, 15th March, 1817.

Sir—I have to request you will publish for the information of the merchants of the United States, and others interested therein, that the south side of Cuba, particularly the port of St Jago, was declared on the 20th February last in a state of blockade, which will be rigorously enforced from the 8th inst. without respect to persons.

Sir, your's,

THOMAS TAYLOR,
Com. Buenos-Ayrean squadron off St. Jago de Cuba.

CHRONICLE.

The sudden and very numerous emigrations into the Alabama country threaten many with absolute starvation, unless they are shortly relieved by supplies from other parts.

The chief of the Caddo tribe of Indians, residing near Natchitoches, is said to be invested by the agents of Ferdinand of Spain, with the title of generalissimo of the Indians resident beyond the Arrayo Honde—specially charged to detain all travellers and suspicious persons.

The square in the city of New-York, heretofore called *St. George's square*, has, by order of the corporation, been changed to that of FRANKLIN SQUARE.

The new steam boat "Chancellor Livingston," a packet between New-York and Albany, is of 500 tons burthen, and cost $110,000. Her average speed is estimated at 8 miles per hour.

Oliver Evans' steam engine, used for raising water to supply Philadelphia, is calculated to raise nearly 4 millions of gallons in 24 hours.

The fourth of July, last year, was duly observed at the *Woushos*, one of the Sandwich islands, by the Americans there, and others. At meredian, a grand salute was fired from the American ship Enterprize, which was repeated by a brig from Boston, by a Russian ship and brig and by an English brig. After which the Americans gave a dinner to the gentlemen belonging to the place, and those from the ships in the harbor. In the evening there was a display of fire works.

Specie payments.—The old banking institutions in the interior, and many of the more modern establishments, have resumed, or are just about to resume, specie payments.

Banks. A law has passed the legislature of New York subjecting the banks that do not pay specie after the first of June next, to pay an interest to the holders of their notes of 12 per cent.

Winter.—A New-York paper of the 25th ult. says the ice remained firm at Albany—being "from 22 to 24 inches thick, on Saturday morning last."

Died, on the 21st ult. at Burlington, N. J. *Isaac Collins*, the oldest printer in the state. The public was indebted to him (I believe) for the first quarto edition of the Bible ever printed in America; which, by its great accuracy, is regarded as a standard.

New-York.—At a convention of the republican members of the legislature of New-York, and of delegates from several counties represented therein by federalists, at Albany on the 25th ult.—present 20 senators, 73 members of the assembly and 32 delegates—held for the purpose of nominating a suitable person to be supported for the office of governor of the state, &c. in pursuance of a resolve of the republican members of the legislature of the 28th of Feb. last—Gen. P. Swift, speaker of the senate, in the chair, and Elisha Jenkins, secretary.

And, after some previous business, the votes of the convention being ascertained, and it appearing that *De Witt Clinton* had a large majority of them as candidate for the office of governor, and *John Tayler* having an unanimous vote for that of lieut. governor—it was

Unanimously resolved, That the members of the convention do pledge themselves to support said persons as nominated.

The votes were—for Mr. *Clinton* 85, for general *Peter B. Porter*, 45, for governor.

Light houses. The commissioner of the revenue is advertising for proposals for the erection of light houses at Buffalo and Erie, on lake Erie.

Gen. *Peter Curtenius* lately died at New-York. He was much esteemed. He was buried with military honors, and the procession was the largest that had been witnessed on such an occasion for many years. Among the pall bearers were vice-president Tompkins, maj. gen. Brown, U. S. A and maj. generals Stevens and Morton, of the New-York militia.

Miss Hamilton—The mysterious murder of a young lady, named Hamilton, after a violation of her person, in the state of New-York, some years ago, seems at last developed. It was the act of two men, one of whom has confessed the crime, and both are in custody. It appears that they accidentally met with Miss H. and, in mere wantonness of cruelty, first violated, and then murdered her, on account of her strugglings and agonizing resistance. We have rarely heard of two more abandoned villains.

Delaware and Raritan canal.—The cost of this great national work is estimated at 836,824 dollars; which, we are told, is a very liberal one. We hope yet to see something done, as well as talked of, to profit by the incalculable advantages to be derived from such improvements.

Wilkinson's memoirs are published. This puts to rest a very silly story about their being suppressed by an officer of the government. We have not yet seen a copy of the work; which, doubtless, is highly interesting.

The wilderness.—A new town, called *Terre Haute*, is laying out near fort Harrison, Indiana. Lots therein were sold to the amount of 21,000 dollars, in one day.

Ingenious Mechanism.

From a Philadelphia paper.

Mr. Dow, from Boston, has now in this city a machine invented and constructed by himself and Mr. TREADWELL, for cutting and finishing wood screws. The only manual labor required is that of coiling the wire from which the screws are to be made, upon a reel and applying one end to the machine. The machine, which may be driven by water, steam, or a horse power, will then continue to supply itself, until the whole of the wire, which may be of any indefinite length, shall be converted into complete and highly finished screws. The wire is cut and headed, the thread of the screw cut, the head grooved and polished, and the finished screw delivered simply by the operation of the machine. Ten of these screws are thus made in a minute. The editor has had an opportunity for only a slight inspection of the machine and of its operation, which, however, was highly satisfactory; but he has been informed many ingenious and accomplished artists and mechanics have examined it thoroughly and given ample testimony to the merits of it.

NILES' WEEKLY REGISTER.

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Hæc olim meminisse juvabit.—VIRGIL.

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The *public lands* are an important concern to the people of the United States; and the information which an obliging correspondent has furnished us with, cannot be otherwise than acceptable to many. The gentleman has the best opportunity of understanding the subject he treats of.

A breathing time being afforded, we shall go on to publish the manufacturers' memorials that have been lying over. The *Pittsburg* report and memorial is prepared for our next paper.

We have late advices from England—the particulars of which, being of much interest, are detailed under the foreign head.

The Public Lands.

TO THE EDITOR OF THE WEEKLY REGISTER.

DEAR SIR—As the sessions of congress and the state legislatures, generally, are closed, I hope your valuable and truly national *Register* will shortly recover its wonted elasticity, and afford its readers some relaxation from the monotonous perusal of the mass of "messages," "documents," "matters and things," connected with those sessions, with which the "*political* department" of your work has been unavoidably swelled to an extent almost excluding the others. In the belief, therefore, that the *current* matter requiring insertion, will be so much diminished as to enable you to indulge your correspondents, occasionally, with a column or two, I propose to communicate to you, in this and subsequent letters, such sketches of the *western country*, and particularly of the public lands, as may appear to me useful or interesting, and as my opportunities of acquiring information may enable me. I do this with the more pleasure, knowing the interest you feel in every thing relating to the western country, which you have somewhere emphatically styled "*the future stamina of the republic;*" and convinced that your labors have most essentially contributed to create in your readers a corresponding feeling.

The system upon which the public lands are now surveyed was adopted by colonel Mansfield,* a late surveyor-general of the United States, who brought it to such perfection as to appear scarcely susceptible of further improvement; and its excellence has been fully tested by the experience of more than ten years; has received the sanction of law, and the full approbation of government.

A tract of country of any convenient extent, having definite boundaries, such as a territory of the United States, or a tract separated from others by rivers or Indian or other boundary lines, is thus surveyed:—A standard line, called a *principal meridian*, is run due north and south, through the tract, or so much thereof as is intended to be surveyed, which line is crossed at right angles by another standard line, running due east and west, which is called the *base-line;* and both of them are run as nearly as may be convenient through the middle of the tract, though it is not material that they should be. As these lines form the bases upon which the surveys commence, they are run and measured with the greatest accuracy. At the distance of every six miles on these standard lines, from their intersection, *township* corners are established; at the distance of every mile, between the township corners, *section* corners are established; and half mile or quarter-section posts are set between the section corners, equi-distant therefrom. The country is then laid off into townships of six miles square, the lines dividing them from each other commencing from the corners for townships established on the standard lines. For the sake of distinction, the north and south lines dividing the townships are called *range* lines; those running east and west, township lines. A *range* consists of any number of townships, and embraces all those belonging to the same system, which lie north or south of each other. The ranges are numbered, progressively, eastward and westward from the principal meridian; and the townships northward and southward from the base-line. The following diagram will serve to illustrate the principle more fully:

IV.	III.	II.	I.	I.	II.	III	IV.
4	4	4	4	4	4	4	4
3	3	3	3	3	3	3	3
2	2	2 A	2	Principal 2	2 D	2	2
1	1	1	1 Base	1 Line	1	1	1
1	1	1	1	Meridian 1	1	1	1
2	2	B 2	2	2	C 2	2	2
3	3	3	3	3	3	3	3

Each of the squares in this figure may represen a township; the Roman numbers at the head, the numbers of the ranges; and the figures in the squares the numbers of the townships. It will be observed that in any two ranges numbered alike, one east and one west of the meridian, there may be *four* townships having the same number. But as their location in the system, by reference to the base-line and principal meridian, is always annexed to the number of the township and range, when written or spoken of, they are readily distinguished. For example: that marked A, is township No. 2, *north* of the base-line, range No 2, *west* of the principal meridian; B, township No. 2, *south*, range No. 2, *west;* C, township No. 2, *south*, range No. 2, *east;* D, township No. 2, *north*, range No. 2, *east*.

It is immaterial how irregularly a district or tract of country, thus surveyed, may be shaped, or how

*Now professor of natural philosophy in the military academy at West-Point.

sinuous its boundary may be, the lines of survey are continued to every part of it, by offsets, by traverse, or by trigonometry, where necessary; and the fractional and detached parts of townships and ranges are numbered from the base-line and the principal meridian, in the same manner, respectively, that they would be if the district was bounded by straight lines, coinciding with the cardinal points. A township or range may be separated by the irregularities of the boundary of the district into two or more detached parts; yet all the parts together form but *one* township or range, and bear the same numbers, respectively, that they would if entire.

All the public surveys are now made by the true meridian; for which purpose the variation of the compass, at the place where the surveys are made, is ascertained by celestial observation, and the sights of the compass adjusted to the true meridian. The compasses used, therefore, are required by the surveyor-general to be of Rittenhouse's construction, having a nonius division and moveable sights.

The townships are subdivided by lines, running parallel to the town boundaries, into thirty-six lots or sections, each section containing one mile square, or six hundred and forty acres. The sections are distinguished by numbers, from one to thirty-six, progressively, beginning at the north-east corner of the township, and numbering westward and eastward, alternately, as shewn in the following example:

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

In fractional townships on the boundary of the district, the sections and fractional sections bear the same numbers that they would if the townships were entire. Although the townships are surveyed into sections of 640 acres, yet they may be sold in quarter sections or tracts of 160 acres, or half a mile square. On the sectional lines, equi-distant from the corners, there are corners established for quarter sections; and when a section is subdivided into quarters by a purchaser, the subdivisional lines are run from those corners to the corresponding opposite corners. Very few of the sections contain exactly 640 acres; but vary a fraction of an acre, or sometimes even a few acres over or under the quantity. This is occasioned by the measure of the closing lines of the sections being more or less than 80 chains or one mile. The law, however, requires that all entire sections, excepting those adjoining the north and west sides of the township, "shall be held to contain 640 acres." It frequently happens, that in laying off the townships, they are several chains more or less than six miles square, which excess or deficiency is always carried into the last half mile on the north and west sides of the townships; and in subdividing them into sections, this excess or deficiency is likewise thrown into the tier of quarter sections on the north and west sides of the townships. These quarter sections, together with the fractional sections on navigable waters, and on the external boundary of the district, are calculated and sold for what they may contain.

The sections numbered *sixteen* in each township are reserved and given, in perpetuity, to the inhabitants thereof, for the support of schools. And three townships in the state of Ohio, one in Indiana, one in Louisiana, and one in each of the territories of Michigan, Illinois and Mississippi, have been reserved and given, in perpetuity, for the support of seminaries of learning. Two of the townships reserved for the state of Ohio, are located at Athens, about 58 miles east of Chillicothe, where the "University of Athens" has been organized, and is in successful operation. The "Miami University" has not yet been organized. A township has been located for it adjoining the western boundary of the state. I am not informed of the measures adopted in the other states and territories for availing themselves of these liberal donations; but believe there is an university at Vincennes, in Indiana, and one at St. Stephen's, in the Mississippi territory, both receiving incomes from the reserved townships.

Of the manner in which the public surveys are executed.

The north and south lines are run by the true meridian, and the east and west lines at right angles therefrom, as far as practicable in closing. But as the east and west lines are made the closing lines of the sections or townships, they frequently vary a little from those points; being run from one section or township corner to another. The lines are well marked by having all those trees which fall in the line notched with two notches on each side where the line cuts, and all or most of the trees on each side of the line and near it blazed on two sides, dioganally or quartering towards the line.

At the section corners there are posts set, having as many notches cut on two sides of them as they are miles distant from the township boundary, where the sectional lines commenced. At the township corners the posts have six notches made on each of the four sides facing the lines. Wherever a tree falls exactly in the corner, it supplies the place of a post, and is marked in the same manner. The places of the posts are perpetuated thus: at each corner the courses are taken to two trees, in opposite directions as nearly as may be, and their distance from the post measured. These trees are called "bearing trees," and are blazed on the side next the post, and one notch made with an axe in the blaze. But in prairies, or other places where there are no trees within a convenient distance for bearings, a mound of earth is raised at each corner, not less than two and a half feet high, nor less than that in diameter at the base, in which mound-posts are placed.

At the section corners, the numbers of each section, together with the numbers of the township and range, are marked with a marking iron (such as are used in mills and warehouses) on a bearing or other tree standing within the section and near to the corner, thus:—A blaze, large enough for the purpose, is made on the tree, and on the blaze the letter R. is made, with the number of the range annexed; below this the letter T. with the number of the township; and under that the number of the section, without any letter to denote it. To the number of the township the letter N. or S. is added, according as the township lies north or south of the base-line,

and to the number of the range, the letter E. or W. as the range may be east or west of the principal meridian. By proper attention to these numbers and marks, a purchaser is enabled to know the quarter and number of the section he wishes to enter, and the number of the township and range in which it lies. The following example of the method of numbering and marking at the section corners, may serve to explain it more fully:

Sec. 26.	Sec. 25.
R. 10. W. T. 5. N. 26	R. 10. W. T. 5. N. 25
R. 10. W. T. 5. N. 35	R. 10. W. T. 5. N. 36
Sec. 35.	Sec. 36.

The quarter section corners are established in the same manner that the section corners are, but no marks are made for the numbers of the section, township and range; "¼ S." only, is marked on the post.

On the township and range lines, the section corners are established and marked only for the townships adjoining on the north and west of those lines respectively; because in the subdivisions of the townships into sections, the lines are run out from the south and east, to the north and west boundaries of the townships, and the corners established thereon at the intersection, for those sections between which the lines are thus run. These lines generally intersect the north and west boundaries of the townships a few links distant from the corners, thereon, of sections in the adjacent townships; in all which cases there are *two* corners adjacent to each other, and bearing trees and posts for each; and, without proper attention to the marks, and to the courses of the lines, it might be somewhat difficult for persons exploring the land, to distinguish them from each other. But where the section lines intersect the township boundaries *at* the corners thereon, such corners become common to the sections in both townships; the proper marks and numbers being made for and within each.

The deputy surveyors are required to note particularly, and to enter in their field books, the courses and distances of all lines which they may run; the names and estimated diameters of all corner or bearing trees, and all those trees which fall in the lines, called station, or line trees, together with the courses and distances, of the bearing trees from their respective corners, with the proper letters and numbers marked on them; all rivers, creeks, springs and smaller streams of water, with their width, and the course they run in crossing the line, and whether navigable, rapid, or otherwise; also the face of the country, whether level, hilly or mountainous; the kinds of timber and undergrowth with which the land may be covered, and the quality of the soil; all lakes, ponds, swamps, peat or turf grounds, coal beds, stone quarries; uncommon natural or artificial productions, such as remains of antient fortifications, mounds, precipices, caves, &c. all rapids, cascades or falls of water; minerals, ores, fossils &c. The true situation of all mines, salt licks, salt springs and mill seats which may come to their knowledge. From the returns of the surveys thus made, a complete knowledge of the country may be obtained, and maps thereof drawn with the greatest accuracy. The field notes of the surveyors, together with the plats and descriptions, made out therefrom, are filed in the office of the surveyor general of the United States, or of the principal surveyors for the territories of Mississippi, Illinois and Missouri.

Hints to purchasers of public lands.

When the lands of a district are surveyed and prepared for sale, three months public notice of the time and place of sale is given, by proclamation of the president of the United States. All the lands in such district are, at the time and place appointed, offered at public sale to the highest bidder; after which all tracts not sold are open for entry, at private sale, at two dollars per acre. They are sold either in sections, half sections, or quarters, at the option of the purchaser; but fractional sections on navigable waters or Indian boundaries, are sold entire. An act of congress, passed at the late session, authorises from and after the 1st of September next, the sale of sections numbered 2, 5, 20, 23, 30 and 33, in *half quarter sections*, or tracts of eighty acres; the quarter sections being divided into two equal parts by lines running north and south.

When a purchaser has selected the tract he proposes to enter, and ascertained at the register's office that such tract is not already sold, he must apply to the register for the purchase thereof, by a written application, designating the number of the section, township and range, which must be signed by the person applying. The purchaser must then pay to the receiver of public monies, a deposit of one-twentieth part of the purchase money for the tract entered, which for a quarter section of 160 acres, is sixteen dollars. For this payment the receiver will issue a receipt, which must be filed with the register, who will make an entry on his books of the application, and the payment made; and, if the purchaser requires it, will give him a copy of such entry, and also a copy of the plat, with a description of the tract purchased. Before the expiration of forty days from the date of the purchase, the remainder of the first instalment of one-fourth part of the purchase money must be paid to the receiver of public monies, and his receipt therefor filed with the register, or on failure to do so, the tract will be again exposed to sale and may be entered by any other person. But if the payment of the first instalment is not completed within three months from the time of purchase, the tract reverts to the United States, and the money paid as deposit forfeited. On producing to the register the receipt of the receiver of public monies, for the payment of the first instalment, the proper entries therefor will be made by him on his books; and he will issue to the purchaser, a certificate of the purchase, describing the tract sold, the amount of purchase money, the amount paid on account, the balance remaining due, and the time when the remaining three instalments shall become due; and that if it shall be duly discharged, the purchaser, or his assignee, or other legal representative shall be entitled to a patent for the said land. On the payment of each of the remaining instalments, the receipts of the receiver of public monies must be filed with the register, and the certificate of purchase produced to him, on which he will endorse the payments. The purchaser may, if it be more convenient to him, pay the remaining instalments, or any of them, to the treasurer of the United States at Washington, having first ascertained at the general land office, the interest or discount on the payments he proposes to

make, where he will receive the necessary instructions.

Lesser payments than the amount of an instalment may be made at any time when it may suit the convenience of a purchaser, and the amount so paid will be credited as "on account." Or the whole of the purchase money may be paid at the time of purchase, or at any time before it becomes due.—No interest is required upon the credits allowed, if the instalments are punctually paid at or before the times when they become due; but if they are not thus paid, interest is charged on such instalments, from the date of the purchase to the time when paid. But when payments are made in advance, either at the time of purchase, or before they become due, a discount at the rate of *eight per cent.* per annum is allowed on such payments, estimated from the time paid to the time when it would become due.—If the tract be completely paid for at the time of purchase, the price of the land would be reduced to one dollar and sixty-four cents per acre

If the payments are not completed within five years from the date of purchase (being one year after the last instalment becomes due) the tract is then offered at public sale to the highest bidder, and if sold, the surplus, if any, after deducting the balance due, and defraying the expences of sale, &c. is paid over to the original purchaser But if the tract is not sold at public sale, it reverts to the United States, and may be again entered by any person at the original price of two dollars; and all the payments made by the original purchaser are forfeited.

When the whole amount of purchase money is paid, the accounts therefor on the books of the land officers are balanced and closed, and a "final certificate" thereof granted by the register to the purchaser, exhibiting a transcript of the account from his books; and stating that on presentation of such certificate to the commissioner of the general land office, a patent will be granted for the land.—These certificates, however, are usually transmitted by the register, to the general land office, where the "final certificates," and the accounts kept in that office are strictly examined and compared; and if found correct, patents are issued by the president of the U. S countersigned by the commissioner of the general land office, by whom they are transmitted to the register of the land office, to be by him delivered to the patentees. There are no fees paid by purchasers of public lands at any of the offices transacting the business in relation thereto.

If a purchaser sells his land before he has completed the payments, he must make an assignment on the "first certificate," transferring his right, title and claim to the land described therein, to the assignee. The assignment must be acknowledged before a justice of the peace, or other judicial officer, whose official capacity must be authenticated by the certificate, under seal, of the clerk of the county (or district) in which such justice of peace, or other judicial officer, resides. The "first certificate," with the assignment, acknowledgment and authentication thereon, must be deposited with the register of the land office, by the assignee, when he completes the payments for the tract, by whom it will, together with the "final certificate," be transmitted to the commissioner of the general land office, at Washington city, who will issue a patent to the assignee.

To persons proposing to purchase public land and unacquainted with the mode of proceeding, the foregoing may, perhaps, afford information that will be useful to them. As a recapitulation of the principal points, I subjoin an extract from the "introduction" prefixed to an edition of the land laws of the United States, published in 1810, in pursuance of an act of congress, exhibiting the "general outlines" of the system of the puplic surveys, now in force. [See land laws—Introduction, p. xix.]

"1. All the lands are surveyed before they are offered for sale; being actually divided into townships six miles square, and these subdivided into 36 sections one mile square, and containing each 640 acres. All the dividing lines running according to the cardinal points, cut one another at right angles: except where fractionable sections are formed by the navigable rivers or by an Indian boundary line. The subdividing lines of quarter sections are not actually surveyed, but the corners, boundaries and contents of these are designated and ascertained by fixed rules prescribed by law. This branch of the business is conducted under the superintendance of two principal surveyors, who appoint their own deputies. The powers and duties of the first, who is called surveyor general, extend over all the public lands north of the river Ohio, and over the territory of Louisiana. The other known by the name of surveyor of the public lands south of the state of Tennessee, superintends the surveys in the Mississippi and Orleans territories. Both make returns of the surveys to the proper land office, and to the treasury.*

"2. The following tracts are excepted from the sales, viz: 1. One thirty-sixth part of the lands, or a section of 640 acres in each township, is uniformly reserved and given in perpetuity for the support of schools in the township. 2. Seven entire townships, containing each 23,000 acres, viz: two in the state of Ohio, and one in each of the territories of Michigan, Indiana, Illinois, Mississippi and Orleans, have been also reserved and given in perpetuity for the support of seminaries of learning. 3. All salt springs and lead mines are also reserved, but may be leased by the president of the United States. Three other sections were formerly reserved in each township for the future disposition of congress; but this reservation has, since the act of 26th March 1804, been discontinued. One section was also reserved in each township within the boundaries of the tracts respectivly sold to the Ohio company, and to John Cleves Symmes, and was given in perpetuity for religious purposes; but this reservation has not been extended to any other part of the public lands.

"The Mississippi, the Ohio, and all the navigable rivers and waters leading into either, or into the river St. Lawrence, remain common highways, and forever free to all the citizens of the United States, without any tax, import or duty therefor.

"3. All the other public lands not thus excepted, are, after the rightful private claims have been ascertained and confirmed, offered for sale at public sale in quarter sections of 160 acres each, but cannot be sold for less than two dollars an acre. The

*Since the publication of the volume from which this extract is taken, there has been two additional surveyors appointed; the first of whom is called the "surveyor of the public lands in the territories of Illinois and Missouri," and superintends the public surveys in those territories. Since the creation of this office the powers and duties of the surveyor general extend only over the states of Ohio and Indiana and the territory of Michigan. The other principal surveyor, who has been appointed at the close of the late session of congress, has, it appears, the direction of the surveys in the northern part of the Mississippi territory.

lands not purchased at public sale, may at any time after be purchased in quarter sections at private sale, and at the rate of two dollars an acre, and without paying any fees whatever. The purchase money, whether the land be bought at public or at private sale, is payable in four equal instalments, the first within forty days, and the three others within two years, three years and four years after the date of the purchase. No interest is charged if the payments be punctually made; but it must be paid from the date of the purchase, at the rate of six per cent. a year, on each instalment not paid on the day on which it becomes due. A discount at the rate of eight per cent. a year, is allowed for prompt payment; which, if the whole purchase money be paid at the time of purchasing the land, reduces its price to one dollar and sixty-four cents per acre. Tracts not completely paid for within five years after the date of purchase, are offered for sale at public sale, for a price not less than the principal and interest due thereon; if the land cannot be sold for that sum, it reverts to the United States, and the partial payments made therefor are forfeited: if it sells for more, the surplus is returned to the original purchaser"

In my next I expect to give you some account of the several systems of the public surveys, and of the land offices established for the sale of the public lands, in the states of Ohio and Indiana, and the territories of Michigan, Illinois and Missouri.

Yours &c.

Mr. H. Niles.

Public buildings.

The probable expence of finishing the public buildings of the United States at Washington, are thus estimated by the superintendants—

For finishing the north wing of the capitol, exclusive of materials on hand .	$107,941
the south wing, as above . . .	126,490
the president's house and offices, with colonades to offices complete .	96,642
the porticos to the north and south fronts.	55,588
	$386,661

It is expected that the chambers for the senate and house of representatives may be ready for their reception in the autumn of 1818.

Memorial on Manufactures.

To the honorable the senate and house of representatives of the United States in congress assembled,

The memorial of the subscribers, citizens of Baltimore, respectfully represents,

That during the interruption of the foreign trade of the United States, by embargo, non-intercourse and war, a great and salutary stimulus was given to manufacturing establishments. Extensive and expensive works were erected in various parts of the union, multitudes of hands employed, some remuneration received by the proprietors, and essential service rendered to the nation. But the conclusion of peace, and the consequent free intercourse with Europe, and more particularly with Britain, soon deluged our market with foreign manufactures; the products of old and highly improved establishments, by which the infant rising manufactures of this country have suffered such a check, as threatens to be fatal to them, and destructive of the immense capital employed in them, unless supported and upheld by the energy and wisdom of the national government.

We believe it now to be the general conviction of the American people, that from the experience already obtained, we are ripe for manufacturing for our own consumption; that nothing farther is necessary for accomplishing this important object, but the fostering hand of the government; in perpetually watching over and aiding the manufacturing system; in imposing such protecting duties as will secure to our manufacturers the home market; that such laws should be unlimited in duration and that they should be so framed as to make evasion next to impossible.—For no doubt remains in our minds, that by the ingenuity and fraud of many importers, the officers of our customs are deceived, the revenue injured, and the duties wisely imposed to protect American manufactures, rendered of no avail.

We believe manufacturing establishments to be essential to our prosperity. We do not know that the annals of history afford any instance of a nation being great, powerful, and happy, unless where agriculture, manufactures and commerce flourished.

England is indebted to this combination for her great wealth, population, and political power; but perhaps to none of the three so much as to her manufactures. Their gross annual value, previous to the establishment of her cotton works, were estimated at sixty millions sterling. The cotton manufacture, which for several years after the reign of the present king, George the third, did not exceed in annual value two hundred thousand pounds, has reached the enormous amount of seventeen millions sterling; nearly equal to her staple manufacture, the woolen: which has been long stated at nineteen millions, making a grand total of the annual value of English manufactures of nearly eighty millions sterling.

When we contemplate the number of people provided for by such establishments, the mechanics employed in the construction of the various works, and in keeping them in repair, miners, and wool growers, the number of farmers, and the quantity of cultivation necessary for their support, the roads, the bridges, and canals necessary for their circulation, the shipping for the importation of raw material and for export of the manufactures, we must at once see the national importance and value of such works.

Borrowing information from history and experience, we see how admirably the United States are fitted for participating in such advantages. Living under a really free government, because purely representative, with a territory almost unlimited, possessing the advantages of all climates, a soil in many places luxuriantly fertile, a population numerous, active, and ingenious, augmenting with a celerity of which history affords no example; and now abounding in capital, we only want the aid of our national government to put in action the energies of our people, by a constant, uninterrupted, assiduous support and protection.

As the best of friends to agriculture, we wish the establishment of manufactures, because in many places of our extensive territory, lands are so situated, that the proprietors have no inducement to extend their cultivatian beyond their own support; for all their neighbors raise enough of provisions for their own consumption, consequently there are no purchasers; and the articles they raise will not bear the expence of distant land carriage, and they have no conveyance by water.—What is

the consequence? excellent lands remain in a state of nature, the farmer and his family have no motive to industry, and idleness is the parent of vice.—Intoxication, gambling, and irregularity prevail, and spread through the district more destructively than the pestilence. Let manufactures be established in such neighborhoods, a demand will necessarily arise for agricultural produce; lands will be improved and extensively cultivated; industry, good order, and riches will abound, and the whole face of the country put on the appearance of a garden. By such means, if you cannot bring the farmer to market, you can bring the market to the farmer; you change and improve the whole state of society, you give origin to good roads, to bridges, navigable rivers, and canals; give celerity to exchanges, the life and soul of commerce; and facilitate the intercourse of every part of the country, with every other.

To secure a regular and constant market to our agriculturist, is of the last importance. All politic economical writers agree, in considering the home market and the home trade as very superior to the foreign trade, because, the returns are more frequent, and the risks less, and every profit remains with the nation. In Britain, they estimate the superior benefits of the home trade to that of the foreign, as 28 to 12 In times of peace we have no reason to expect a steady demand, nor consequently a good price for our agricultural products. If these products remain on hand, or sell for little or no profit, the cultivation will necessarily decline, and intolerable distress will ensue. To prevent such occurrences, home manufactures afford a substantial remedy. We are of opinion that the necessary hands employed at home to manufacture for the population of the United States would consume more provisions than all we export.

It has been alledged, that wages were too high in America to admit of our entering into competition in manufactures with the older countries of Europe, particularly Britain. We believe the opinion is not well founded. The wages of the persons employed in the upper departments of manufactures, are high in England. Calico printers, chief spinners of cotton or woolen, or superintendants, principal dyers and finishers, generally earn wages equal to from ten to fifteen dollars per week; women and children who perform a great part of the work, can be hired nearly as low here as in England; and there is no reason to doubt that our colored people can be extensively and advantageously employed in many manufactures. Lowness of wages, and low price of raw material, do not necessarily produce cheap manufacture; for it is well ascertained, that though the cotton spinners of Bengal buy their cotton at two pence per pound and get a man's day labor for two pence more, yet the British spinner can undersell the Asiatic, because by the intervention of labor-saving machinery, he can spin as much by one person as requires in India sixty persons; but allowing for the superior expence of this machinery and other contingencies, twenty persons, still it will be as one man in Britain to forty in India.

In the United States we have the knowledge of the labor-saving machinery, the raw material, and provisions cheaper than in Britain; but the overgrown capital of the British manufacturer and the dexterity acquired by long experience, make a considerable time, heavy duties necessary for our protection.—We have beaten England out of our market in hats, shoes, boots, and all manufactures of leather; we are very much her superior in ship building; these are all the works of the hands, where labor saving machinery gives no aid; so that her superiority over us in manufactures, consists, more in the excellence and nicety of the labor saving machinery, than in the wages of labor. With all their jealously, and restrictions upon the emigrations of workmen, the distresses and misfortunes of England will, by due encouragement, send much of her skill and knowledge to our shores; let us be ready to take full benefit of such events as England herself did when despotic laws in Germany, and other parts of Europe, drove their manufacturers into Britain, which laid the foundation of her present eminence.

So sensible is the British government of the necessity, and advantage of completely securing their markets to their own manufacturers that, although no other country can enter into competition with them on their own soil, in the greatest part of their manufactures, yet, laws either absolutely prohibitory, or duties tantamount to prohibition exists upon every article capable of being made in England; and the severest penalties are inflicted upon the exportation of any kind of machinery, or the emigration of any workman. Nevertheless, the competition among their own manufacturers, keeps down the price to the consumer, in general, lower than he could otherwise obtain it.

We also beg leave to remark, that sales at auction are extremely injurious to our manufacturing and mercantile interests. This mode of sale, besides affording to foreign agents an immediate reward for frauds, gives to them advantages in which the regular and honest merchant cannot participate. Advantages we believe, denied to them in their own country, the policy of which is said to interdict, (except in a few instances) all sales at auction, on account of their evil effects upon their mercantile and manufacturing interests! By this mode of sale, the fair merchant is stripped of all the advantages, which, by a necessary establishment, large advances, and a long course of honorable dealing, he had acquired; while strangers, bound by no tie to this country, who bear none of its burthens, perform no civil duties, nor any services in peace or war; who are not even at the expence of store rent, nor clerk hire; who are so transitory, as scarcely to be amenable to our laws; are enabled to monopolize our markets, by which our merchants are in many instances obliged to sacrifice their goods through the same process, in order to pay their duties to the government. And too many are compelled, by the stagnation of their trade, in moments of pecuniary distress, to resort to these destructive auction sales, by which insolvencies are produced, and a circle of connections are involved in ruin.

To promote the objects of this memorial, we would, with due deference to the national legislature, suggest a revision of their protecting laws, with such enactments as would make them effectual; as well as an assurance that they would be permanent, and that the manufacturing interests never would be neglected. No individual can with justice alledge, that to lay protecting duties, is to take money out of the pockets of the farmers, to place it in that of the merchant or manufacturer. —The necessary taxes for the wants of the state must be provided; if they are obtained in one way, they will not be required in another, and whatever enriches one description of citizens, relatively enriches all. The United States do not consist of parts, they are a whole; whatever enriches one part, enriches all; if not directly, indirectly? "In veste varietas sit, scis sura non sit." "The coat

is without seam, woven from the top throughout, let us not rend it."

To secure the imposed duties, reliance should not be placed on custom house oaths, nor should oaths be multiplied: the frequency of them destroys their solemnity, sports with the most sacred obligations, and is unfriendly to religion and morality.

Inspectors, acquainted with the quality of the goods, should be appointed; whose duty it should be to ascertain by actual examination of the goods, the correspondence of the denomination, or value, to the entry; if frauds are practised, heavy penalties should be inflicted. Goods of foreign manufacture, passing coastwise, from one port to another, should be accompanied with permits, certifying to the collector of the port at which they are to be landed, by definite descriptions, that, entry had been fairly made on them at the port of entry. Severe laws and disabilities should be enacted against smuggling, and every fraud committed against the revenue laws.

We believe that a duty of ten per cent should be imposed on sales by auction, of all linen, cotton, woolen, and silk goods, and of all those made of metal, with the exception of the estates of bankrupts, insolvent persons deceased, and sheriffs and marshals sales.

We pray that it may be the practice of the president, and vice prisident of the United States, and of the members of congress, as well as governors of respective states and their legislatures, with all their civil, military, and naval officers, to wear and use the manufactures of their own country of every description, by which, we think, they will effectually promote its best interests, exhibit their patriotic principles, and excite a just principle of imitation.

And your memorialists further request, in behalf of your mercantile and manufacturing interests, such aid and protection as from time to time may appear necessary; and as may place them beyond the reach of such foreign, domestic, or inimical influence, as intends them injury or aims at their destruction.

And your memorialists, as in duty bound, will ever pray.

Free people of color.

Report on colonizing the free people of color of the United States.

HOUSE OF REPRESENTATIVES, FEB. 11.

The committee to whom was referred the memorial of the president and board of managers of the "American society for colonizing the free people of color of the United States," have had the same under their deliberate consideration. The subject is of such magnitude, and attended with so many difficulties, it is with much diffidence they present their views of it to the house.

Were it simply a question of founding a colony, numerous and well known precedents show with what facility the work might be accomplished. Every new territory established by our government, constitutes, indeed, a colony, formed with great ease; because it is only an extension of homogeneous settlements. But in contemplating the colonization of the free people of color, it seemed obviously necessary to take a different course.—Their distinct character and relative condition, render an entire separation from our own states and territories indispensable. And this separation must be such as to admit of an indefinite continuance. Hence, it seems manifest that these people cannot be colonized within the limits of the United States. If they were not far distant, the rapidly extending settlements of our white inhabitants would soon reach them; and the evil now felt would be renewed; probably with aggravated mischief. Were the colony to be remote, it must be planted on lands now owned and occupied by the native tribes of the country. And could a territory be purchased, the transporting of the colonists thither, would be vastly expensive, their subsistence for a time difficult, and a body of troops would be required for their protection. And after all, should these difficulties be overcome, the original evil would at length recur, by the extension of our white population. In the mean time, should the colony so increase as to become a nation, it is not difficult to foresee the quarrels and destructive wars which would ensue; especially if the slavery of people of color should continue, and accompany the whites in their migrations.

Turning our eyes from our own country, no other, adapted to the colony in contemplation, presented itself to our view, nearer than Africa, the native land of negroes; and probably that is the only country on the globe to which it would be practicable to transfer our free people of color with safety, and advantage to themselves and the civilized world. It is the country which, in the order of Providence, seems to have been appropriated to that distinct family of mankind. And while it presents the fittest asylum for the free people of color, it opens a wide field for the improvements in civilization, morals and religion, which the humane and enlightened memorialists have conceived it possible, in process of time, to spread over that great continent.

Should the measure suggested be approved, an important question occurs.—In what way shall its execution be essayed?

A preliminary step would be, to provide for the perfect neutrality of the colony, by the explicit assent and engagement of all the civilized powers, whatever dissensions may at any time arise among themselves.

The next important question is—Will it be expedient to attempt the establishment of a new colony in Africa, or to make to Great Britain a proposal to receive the emigrants from the United States into her colony of Sierra Leone?

At Sierra Leone, the first difficulties have been surmounted; and a few free people of color from the United States have been admitted. A gradual addition from the same source (and such would be the natural progress) would occasion no embarrassment, either in regard to their sustenance or government.—Would the British government consent to receive such an accession of emigrants, however eventually considerable, from the United States?—Would that government agree that, at the period when that colony shall be capable of self-government and self-protection, it shall be declared independent? In the mean time, will it desire to monopolize the commerce of the colony? This would be injurious to the colonists, as well as to the United States.—Should that country from the nature of its soil and other circumstances, hold out sufficient allurements, and draw to it from the United States, the great body of the free people of color, these would form its strength, and its ability to render its commerce an object of consideration. Now as the great and permanent benefit of the *colonists*, was the fundamental principle of the establishment—will the British government decline a proposition calculated to give to that benefit the important extension which will arise from a freedom of com-

merce; to those, at least, at whose expence, and by whose means, the colony shall be essentially extended? Should an agreement with Great Britain be effected, no further negociation, nor any extraordinary expenditure of money, will be required. The work already commenced will be continued—simply of carrying to Sierra Leone, all who are willing to embark.

It would seem highly desirable to confine the migrations to a single colony. The two distinct and independent colonies, established and protected by two independent powers, would naturally imbibe the spirit and distinctions of their patrons and protectors, and put in jeopardy the peace and prosperity of both. Even the simple fact of separate independence, would eventually, tend to produce collisions and wars between the two establishments (unless, indeed, they were far removed from each other) and perhaps defeat the further humane and exalted views of those who projected them. The spirit which animated the founders of the colony of Sierra Leone, would be exerted to effect a union of design, and the cordial co-operation of the British government with our own, and it might be hoped not without success. It would be in accordance with the spirit of a stipulation in the last treaty of peace; by which the two governments stands pledged to each other, to use their best endeavors to effect the entire abolition of the traffic in slaves, while the proposed institution would tend to diminish the quantity of slavery actually existing.

If, however, such enlarged and liberal views should be wanting, then the design of forming a separate colony might be announced by the American ministers, to the maritime powers; and their guarantee of the neutrality of the colony obtained.

Your committee do not think it proper to pursue the subject any further at this time; but that the government should wait the result of the suggested negociations; on which ulterior measures must depend.

In conclusion, your committee beg leave to report a joint resolution, embracing the views herein before exhibited.

Resolved, by the senate and house of representatives of the United States of America, in congress assembled, That the president be, and is hereby authorized to consult and negociate with all the governments where ministers of the United States are, or shall be accredited, on the means of effecting an entire and immediate abolition of the traffic in slaves.—And, also, to enter into a convention with the government of Great Britain, for receiving into the colony of Sierra Leone, such of the free people of color of the United States, as, with their own consent, shall be carried thither; stipulating such terms as shall be most beneficial to the colonists, while it promotes the peaceful interests of Great Britain and the United States. And should this proposition not be accepted, then to obtain from Great Britain, and the other maritime powers, a stipulation, or a formal declaration to the same effect, guaranteeing a permanent neutrality for any colony of free people of color, which, at the expence and under the auspices of the United States, shall be established on the African coast.

Resolved, That adequate provision shall hereafter be made to defray any necessary expences which may be incurred in carrying the preceding resolution into effect.

Foreign Articles.

ENGLAND, &c.

London dates to February 7, inclusive.

The state of things in England *appears* to have approached a very alarming crisis. The prince regent, on his way to parliament to open the session by a speech from the throne, was insulted with the hootings and hisses of an immense multitude of people, and in returning was attacked by another mob with stones, and, as lord Murray supposes, with *bullets* fired from an air gun. *See his examination before the house of commons.* The regent escaped without injury, but lord Murray was wounded.—1,000£. reward are offered by proclamation for the apprehension of the person or persons who were guilty of the "*attempt upon the life*" of the prince, and it is said that several have been arrested and committed to trial on a charge of high treason. A *bullet* much battered, so as to be nearly flat, has been picked up near the place where the regent's coach was attacked. The person who found it was examined by lord Sidmouth.

After the king was attacked in his coach in 1795, very much in the same manner that the prince regent has been, the *habeas corpus act* was suspended, and the power of the ministers exceedingly increased—and advantage was taken of the circumstance to alarm the people with ten thousand tales of "*tubs*" and conspiracies, whereby they were warmed into loyalty and forgot their then sufferings in anticipating greater evils. On that occasion one man was sentenced to seven years' imprisonment for having "made mouths" at the royal carriage!

But the regent's message to parliament of the 29th of January, inserted below, is of more importance than the attack upon his person, if the often-repeated declarations of the ministers may be believed, that that message had no connection with or reference to the attack. It goes to shew the prevalence of a revolutionary spirit to a much greater extent than we apprehended to exist in that country, and evinces to us that the government is exceedingly alarmed—unless, indeed, the whole business, even the mob-scene itself, has been *got up* by the ministers themselves to *cozen* the people out of their just demands.

The apprehensions of a scarcity of grain has subsided. The supplies from the continent have been very extensive. Fine old wheat, however, was at 6£. to 6£. 10*s.* per quarter. Average for England and Wales 103*s.* 11*d.*

Stocks.—Feb. 4. cons. 64 *a* 64¼.

Lord Castlereagh.—The old Corry packet, (says a Dublin paper) in a recent passage from this port to Newry, had on board a fine Arabian horse, belonging to his lordship, which some of our readers might have lately seen in this port. A most violent storm arose; and it was with difficulty that the captain and crew *prevented* the passengers from throwing the poor animal overboard; as they persisted in attributing their danger to having any thing belonging to that popular nobleman on board.

It is stated that *Castlereagh's* care of the people of England has enabled *his* father to pay off an old debt of 50,000£. and to purchase new estates which cost him 250,000£.—together equal to $1,332,000. A man ought to "*provide for his family.*"

Some of the British troops will be immediately drawn from France for "*home service*"—25 transports have been taken up for the purpose.

Canning's impudence in talking about the wholesome plans of the ministers, &c. was handsomely rebuked by sir Robert Heron, who said, "that he (Canning) himself was one of the most flagrant and

shameful instances of the wonderful profusion and corruption of the ministers."—Canning's wages for supporting the ministry, are about £12,000 a year. Double the amount of our president's salary.

At the commencement of the present year, the collectors of the revenue in Ireland received notices for the discontinuance of 395 four-wheeled carriages, 2565 two-wheeled do. 1785 horses, 624 servants, 2226 windows, and 5564 hearths.

Royalty in the straw.—The following comical article from a London paper of January 29, is well worth a record, for it will afford many a laugh to our readers—

"We have the happiness to announce that her royal highness the dutchess of Cumberland is safely brought to bed. Yesterday morning early her royal highness was unwell, and between nine and ten o'clock she was taken in labor; orders were given for issuing the summonses which had been in readiness for several days to the archbishop of Canterbury, the bishop of London, the lord chancellor, and the rest of the cabinet ministers, who all attended. Her royal highness was brought to bed soon after their arrival, which was about one o'clock The child was still-born.

In a short time afterwards the following bulletin was issued:—

"*St. James' Monday, Jan.* 27.

"Her royal highness the dutchess of Cumberland was delivered at one o'clock this day, of a still-born female child, and is as well as can be expected.

"H. HALFORD.
"C. M. CLARKE."

Col. Thornton waited upon the prince regent to inform him of the event. Messengers were sent off to the queen at Windsor, the princess Charlotte at Claremont, the dutchess of Gloucester, and the other branches of the royal family; also the dutchess's family abroad."

☞The debates in the British parliament had already assumed uncommon importance—the state of the country was freely discussed and exposed. Petitions for reform were pouring in at a great rate. On the reply to the address of the prince regent which, according to custom, is a mere echo—the votes for it were 264, against it 112, which shews the majority of the ministers.

IMPERIAL PARLIAMENT.

HOUSE OF LORDS.

Tuesday, January 28, 1817.—This being the day appointed by the prince regent for the meeting of both houses of parliament, his royal highness came down in state, and entered the house of peers at two o'clock. His royal highness was attended by all the great officers of state; the earl of Liverpool carried the sword of state on his royal highness's right hand, and the marquis of Winchester carried the crown on a cushion on his left.

In a few minutes after the regent had taken his seat on the throne, the commons having been summoned by the usher of the black rod, appeared at the bar of the house of peers, with their speaker at their head, when his royal highness delivered to both houses of parliament the following speech:

My lords and gentlemen,

It is with deep regret that I am again obliged to announce to you, that no alteration has occurred in the state of his majesty's lamentable indisposition.

I continue to receive from foreign powers the strongest assurance of their friendly disposition towards this country; and of their earnest desire to maintain the general tranquility.

The hostilities to which I was compelled to resort, in vindication of the honor of the country against the government of Algiers, have been attended with the most complete success.

The splendid achievement of his majesty's fleet in conjunction with a squadron of the king of the Netherlands, under the gallant and able conduct of admiral viscount Exmouth, led to the immediate and unconditional liberation of all christian captives, then within the territory of Algiers, and to the renunciation by its government of the practice of christian slavery.

I am persuaded that you will be duly sensible of the importance of an arrangement so interesting to humanity, and reflecting, from the manner in which it was accomplished, such signal honor on the British nation.

In India, the refusal of the government of Nepaul to ratify a treaty of peace which had been signed by its plenipotentiaries, occasioned a renewal of military operations.

The judicious arrangements of the governor-general, seconded by the bravery and perseverance of his majesty's forces and those of the East India company, brought the campaign to a speedy and successful issue; and peace has been finally established upon the just, the honorable terms of the original treaty.

Gentlemen of the house of commons,

I have directed the estimates of the current year to be laid before you.

They have been formed upon a full consideration of all the present circumstances of the country, with an anxious desire to make every reduction in our establishments which the safety of the empire and sound policy allow.

I recommend the state of the pulic income and expenditure to your early and serious attention.

I regret to be under the necessity of informing you, that there has been a deficiency in the produce of the revenue of the last year; but I trust that it is to be ascribed to temporary causes; and I have the consolation to believe, that you will find it practicable to provide for the public service of the year, without making any addition to the burthens of the people, and without adopting any measure injurious to that system by which the public credit of the country has been hitherto sustained.

My lords and gentlemen,

I have the satisfaction to inform you, that the arrangements which were made in the last session of parliament, with a view to a new silver coinage, have been completed with unprecedented expedition.

I have given directions for the immediate issue of the new coin, and I trust that this measure will be productive of considerable advantages to the trade and internal transactions of the country.

The distresses consequent upon the termination of a war of such unusual extent and duration, have been felt with greater or less severity, throughout all the nations of Europe; and have been considerably aggravated by the unfavorable state of the season.

Deeply as I lament the pressure of these evils upon this country, I am sensible that they are of a nature not to admit of an immediate remedy; but whilst I observe with peculiar satisfaction the fortitude with which so many privations have been borne, and the active benevolence which has been employed to mitigate them, I am persuaded that the great sources of our national prosperity are essentially unimpaired; and I entertain a confident expectation that the native energy of the country will, at no distant period, surmount all difficulties in which we are involved.

In considering our internal situation, you will, I doubt not, feel a just indignation at the attempts which have been made to take advantage of the distresses of the country, for the purpose of exciting a spirit of sedition and violence.

I am too well convinced of the loyalty and sense of the great body of his majesty's subjects, to believe them capable of being perverted by the arts which are employed to seduce them; but I am determined to omit no precautions for counteracting the designs of the disaffected: And I rely with the utmost confidence on your cordial support and co-operation, in upholding a system of law and government, from which we have derived inestimable advantages, which has enabled us to conclude with unexampled glory, a contest whereon depended the best interests of mankind, and which has been hitherto felt by ourselves, as it is acknowledged by other nations, to be the most perfect that has ever fallen to the lot of any people.

HOUSE OF COMMONS—JANUARY 28.

While the house was debating about a motion for an address to the regent on his most gracious speech—

Two messengers from the lords appeared at the bar, with a communication; being admitted to the table—they stated, that they were commanded by their lordships, to desire a present conference with this house, in the painted chamber, on a subject materially affecting the safety of his royal highness the prince regent, and the honor and dignity of parliament; and was directed to inform the house, that in the absence of the usual messengers, the clerk assistant, and reading clerk, were deputed to convey the message.

The chancellor of the exchequer moved, "that the house do acquiesce in the message sent by the lords."—This motion was unanimously agreed to.

The speaker then said, that as the house had agreed to the message requesting a conference, it would be proper to name their messengers.

The following members were accordingly deputed: the chancellor of the exchequer, Mr. Canning, Mr. Ponsonby, Mr. Tierney, sir S. Romilly, lord Arch Hamilton, lord Lascelles, Mr. Freemantle, and several others, who repaired to conference. After a short interval they returned to the house, when

The chancellor of the exchequer reported, that the lords had communicated to them that several daring outrages had been committed on the person of his royal highness the prince regent, on his return from parliament this day; that they had agreed upon an address to his royal highness; and requested the concurrence of the commons house in the same. The lords had likewise informed them, that they had received the evidence of a witness, the right hon. James Murry.

The chancellor of the exchequer then moved, that the further consideration of the debate on the address should be adjourned till tomorrow.

This being agreed to, the right hon. gentleman moved, that the message of the lords be now taken into consideration, and that lord James Murry be called in and examined as to the fact stated in the address.

Lord J. Murry was then called to the bar, and in answer to certain questions put to them by the chancellor of the exchequer, Mr. Curwen, Mr. Wayne, and some other members stated, that he is a lord of the bedchamber to the prince regent, and was in attendance on his royal highness in the carriage on their passage from the house of lords; on their return between Carlton house and St. James', the glass of the carriage was fractured; it was the glass on the prince's left hand. The fracture appeared to be produced by two bullets, for round apertures had been made in the glass, and the remainder of it was not broken, he had not the slightest doubt that the fracture was caused by bullets. About a minute after this happened a very large stone was thrown at the other glass, and then three or four other stones with great violence; he had examined the first glass that was broken minutely; there was no crowd near the carriage at the time; but if a pistol had been fired with gunpowder, the person firing it, he thinks must have been recognized; he supposes, as no report was heard by him, they came from an air gun. There was no bullets found in the carriage; he supposes they were shot from some one of the trees; the opposite glass was up, it was not broke at all; he got out of the carriage immediately after the prince regent, did not search the carriage; nor did he know whether any bullets were found at the bottom of it. The master of the horse was in the carriage; splinters of the glass were found; the stone which struck the opposite glass did not enter the carriage, the glass was very thick.

In answer to a question from lord Milton, the witness said, that his royal highness sat in the middle, between the master of the horse and the witness.—The stone smashed the window and pounded the glass which was remarkable thick. There was a footman and a life guards man by the side of the carriage. He could not say whether the supposed bullets perforated any part of the carriage.

The witness having withdrawn, Mr. Vansittart conceived that no further information could be necessary, after the testimony they had just heard, to induce the house to concur in the address—*Hear Hear!* He therefore moved that the address be read.

The address was then read, to the following effect; "We your royal highness' dutiful and loyal subjects, the commons house of parliament, beg leave humbly to express our abhorence of the outrage offered this day to the person of your royal highness, and regret that there should be found a person in these dominions capable of committing so daring and flagitious an act. It is the earnest wishes of your faithful commons in which they must be joined by all descriptions of faithful subjects that your royal highness would be pleased to direct such measures to be taken, as should lead to the apprehension of the authors and abettors of the outrage."

The address was then agreed to *nem. con*

Mr. Vansittart gave notice that he should to-morrow move for a vote of thanks to lord Moira, for his conduct in India; and on Monday to lord viscount Exmouth, for his gallant conduct at Algiers.

Sir F. Burdett gave notice, that he should on this day month submit a motion on the subject of reform in parliament.

January 29.—Lord Sidmouth presented a message, to the house from the prince regent.

The message was read by the lord chancellor, and was as follows:—

"His royal highness the prince regent, acting in the name and on the behalf of his majesty, has thought proper to order to be laid before the house of lords, papers containing an account of certain meetings and combinations held in different parts of the country, tending to the disturbance of the public tranquility, the alienation of the affections of the people from his majesty's person and government, *and to the overthrow of the whole frame and system of the law and constitution;* and his royal highness recommends these papers to *the immediate and serious consideration of the house.*

His lordship moved that the prince regent's most

gracious message be taken into consideration tomorrow; and stated that he should then present the papers alluded to in the message, which he should move to refer to a secret committee—Ordered.

February 4.—The order being read for taking into consideration the message of his royal highness the prince regent, on the state of the country, the message was accordingly read.

Lord Castlereagh, in rising on the present occasion to submit a motion to the house, was happy to think that the proposition he had to offer to-night, was one on which he could not apprehend the slightest difference of opinion would exist, as it merely went to acknowledge the receipt of the prince regent's most gracious message, and to assure his royal highness that the house would take into its most serious consideration the papers he had ordered to be communicated to them, without delay.—Whatever the situation of things might be at present, nothing could be further from his wish, than to say one word that might on this occasion, lead to a debate on the present state of the country, as the very nature of the communication which had been made indicated secrecy to be desirable, as the house were not yet in possession of what ministers considered to be necessary to give them a proper knowledge of the present state of the country. It would cause great embarrassment to him, and to the house itself, were this subject now to be entered upon. All he should at present request of them was, that they would keep their minds free and unembarrassed that they might then act as should be necessary on the report of the committee. There was only one other point on which he would offer a single word. He thought it necessary to oppose the idea which had got abroad that this communication arose out of the late atrocious attack on the person of the prince regent, on which he was sure but one opinion could be entertained by every member of that house and by every friend to the British constitution. He begged distinctly to state that the present proceedings did not arise in any shape out of that outrage. The communication which had been made was founded on information which he thought it would be felt that the government, without abandoning their duty to the country and to the constitution, could not but advise his royal highness to submit to the house. Having said this much, he hoped it would be most consonant with the feelings of the house not to enter upon the views which any gentleman might take of the present situation of the country, from the information which they already possessed. He hoped they would keep their minds free and unbiassed, that they might act on the information which the prince regent had caused to be communicated as circumstances might require. He concluded by moving—

"That an humble address be presented to his royal highness the prince regent, to return his royal highness the thanks of this house for his most gracious message, and to assure his royal highness, that this house will proceed to take the information laid by his royal highness' command before this house, into its immediate and most serious consideration."

Mr. Ponsonby professed his unwillingness to make the slightest objection to the address now proposed, but begged to ask the noble lord what course his majesty's government meant to pursue in consequence of the address.

Lord Castlereagh spoke in so low a tone of voice that we could not distinctly collect what he said, but as we understood him, he answered that it was proposed to follow the precedent of 1795. (Hear, hear)

The question on the address was then put and carried—nem. con.

Lord Catlereagh then moved successively, 1. That the papers containing the communication from the crown be referred to a committee. 2. That this committee be secret. 3. That it consist of 21 members. 4. That it be chosen by ballot. 5. That the members of the house prepare a list of 21, to put into a class to compose said committee. 6. That the papers remain on the table as they are, till the said committee be chosen. All which motions were agreed to.

☞The debate on the regent's address in the house of lords, equally shews the agitation of the government at the alarming state of the country. The deficiency of the revenue is twenty millions sterling, or about 81 millions of dollars for the last year; and the idea of a *retrenchment*, to cover this sum, is spoken of as an absurdity. The taxes already levied cannot be collected, and there seems no resource from new requisitions—the deficit will probably be met for the moment by further issues of exchequer bills. One of the lords said, "the calamities of the country had now come to that height, that no vain and idle hyperboles could conceal calamities which threatened to overwhelm the country. This was no common occasion, in which they used to bandy compliments with the crown, or to rejoice with it on the triumph of our arms." Lord Sidmouth said, "He had concurred with his colleagues in recommending reduction, *although he knew that the military establishment at home was necessary for the support of the civil power*, and although he knew that they had aggravated the general distress by the reductions which had already taken place."

☞In the remarks on the regent's *message*, lord Sidmouth said, that that message had no connection with the late attack upon the person of the regent—if that outrage had not been committed, ministers would equally have felt it their duty to bring the subject before parliament. From what lord *Liverpool* said, some *strong measures* are contemplated to keep down the people—the ordinary laws appearing inefficient for the purpose. The message was referred to a secret committee of eleven lords, chosen by ballot.

If these combinations are as extensive as they are intimated to be, who shall calculate their consequences? *But may not the whole be a mere* ruse de guerre *of the ministers—a plot to divert the people from the great object of obtaining a reform of parliament?* But, in either case, we are presented with a dreadful view of things.

Latest from England.

Another vessel has arrived at New-York which left Liverpool on the 17th of February, but brought no papers later than of the 12th. They do not furnish us with any thing important—they are filled with debates in parliament about reform, &c.

Another meeting had been held at Spa-Fields, which broke up peaceably—all the troops at the west end of the town gave their attendance. The state of society seems very unsettled and uneasy.

It is intimated that the prince regent will surrender one-fifth of his income, as connected with his *personal* services, estimated at £50,000; and ministers, it is said, have shewn an intention to follow his example.

The following is the address of the city of London on the escape of the prince regent—it will probably be followed by many of a similar character:

"To his royal highness the prince of Wales, regent of the united kingdom of Great Britain and Ireland.

"The humble and dutiful address of the lord mayor and aldermen of the city of London:

"May it please your royal highness,

"We, the lord mayor and aldermen of the city of London, beg leave to approach your royal highness with profound sentiments of duty and respect, to express our horror and indignation at the most daring and flagitious outrage offered to your royal person at the moment of your return from the house of parliament, on the occasion of your royal highness exercising the sacred duties of the crown, and fulfilling, in the name and on the behalf of his majesty, the very important function of one of the estates of the realm.

"With the deepest concern we have to deplore that any one should be found within his majesty's dominions capable of violence so atrocious, so disgraceful to human nature, so foreign to the British character, and we most fervently hope, that the loyalty of the subjects of the united empire will manifest itself to prevent a repetition of an attempt so base against the sacred person of your royal highness. We beg permission to add, that nothing shall be wanting on our part, as magistrates of the metropolis of the empire, to promote on all occasions the general tranquility, and to evince our steady loyalty and attachment to your royal house and person, and our determination to support the crown and dignity of these realms.

"Signed, by order of the court,

"Henry Woodthorpe."

To which his royal highness was pleased to return the following most gracious answer:

"I thank you for this loyal and dutiful address. It is highly satisfactory for me to receive, upon this occasion, and at the present conjuncture, the assurances of your steady attachment to me and my family, and of your determination to promote obedience to the laws, and to afford a firm support to the crown and the prerogatives which are inseparably connected with the liberties and best interests of the people."

The merchants, bankers and traders of London, have likewise come forward, and subscribed to very loyal resolutions.

London, Feb. 8.—Price of stocks this day at 12 o'clock.

Reduced 65 7-8 66—Cons. mo. 65 1-4 3-8—Cons. for acc. 65 3-8 1-2.

4 per cent. 83 1-4 7-8—5 per cent. navy 97 5-8 3-4.

Exchequer bills, 15s. 17s. pr.—India bonds, 31s. 32s. pre.

Lord Castlereagh last night brought forward a statement of our naval and military establishments, and the reductions that have already taken place and are in progress in these sources of expence; and moved for the appointment of a committee to enquire into the public income and expenditures for the year 1817.

The army, in 1816, was 149,445 men; in 1817, it is 123,702—reduction 25,743. The expence last year, exclusively of ordinance, was £10,564,000—this year it is £9,280,000. The ordinance last year cost £1,696,000—this year it is £1,246,000. Total saving on army, £1,784,000.

Navy, last year, 33,000 men; this year 19,000—reduction, 14,000. It cost for last year 10,114,000*l.* this year it will be 6,397,000*l.*—saving 3,717,000*l.*

Miscellaneous services in 1816, £2,500,000; ditto this year, £1,500,000—saving £1,000,000.

RECAPITULATION.

Army saving	£1,784,000
Navy ditto	3,717,000
Miscellaneous	1,000,000
Total saving,	£6,501,000

SUPPLY.

Army	£7,050,000
Commissariat and barracks, Great Britain	580,000
Ditto, ditto, Ireland	300,000
Extraordinaries	1,300,000
Ordnance	1,246,000
Navy	6,397,000
Miscellaneous, Great Britain and Ireland	1,500,000
	£18,373,000

Thus it appears that the army has been reduced about one-sixth—the navy almost one half. The expences for this year exceed eighteen millions; and, lamentable to tell, the country cannot count on half the amount of permanent revenue, after paying the interest on our debt!

FRANCE.

The prices of grain in France have generally declined. But there was a great sedition at Bordeaux, where the people opposed the embarkation of corn destined for the other departments. The military were called in, who fired upon the people, and killed several of them on the spot.

The royal guards being required to quell a riot at Rouen, the national guards interposed themselves between the former and the people. The Swiss guards then reinforced the royal guards, but the national guards, supported by the people, were too strong for the allied forces; who were defeated with some loss. After their defeat, the national guards exerted themselves, and with success, to protect the discomfited royalists from the fury of the populace. In France, as in England, the public funds are inadequate to the expences, and the laboring classes want employment.

The French loyal newspapers express great indignation at the late assault upon the prince regent of England—which they say is calculated "to excite the indignation of all Europeans attached to the cause of *justice* and *legitimacy*."

NETHERLANDS.

The price of corn is exceedingly complained of.

A Brussels article gives the estimate of the minister of finance for 1817. The income is calculated at 73,700,000 florins [*a florin is about 1s. 8d. sterling*] and the expences at 73,400,000 florins.

"SPANISH AMERICA."

The defeat of the royalists by Bolivar, near Barcelona, noticed in our paper of the 29th ult. see page 78, *appears* amply confirmed. The chief battle lasted a whole day—he was five times furiously attacked by the royalists, 4,000 strong, under Morillo, assisted by all the Spanish naval force on the station—this happened on the 16th of February; on the 17th Bolivar attacked the royalists, sword in hand, and defeated them with great slaughter. His success had considerably strengthened his force.

Petion has lately seized several of the patriot privateers and their prizes, at Port au Prince. It is thought that "he wants money and must have it." But a large privateer commanded by capt. Champlin, being ordered to be seized, the men were called to quarters, and Petion's officers refused an entry into their vessel.

Capt. Douglass, of the British brig Elizabeth, who arrived at New York on the 7th instant, in 63 days from Buenos Ayres, informs, that the Portuguese expedition had taken Monte Video, with very

little fighting. He also states that the troops of Buenos Ayres, comprising an army of 6000 men, had marched for the province of Chili to induce or compel the people of that province to unite in the common cause against the Portuguese. In case of the union of the troops of Chili with those of Buenos Ayres, no doubt was entertained of their success. Four Portuguese brigs, laden with tallow and hides, had been seized by the government of Buenos Ayres.

BRITISH AMERICA.

At a late session of the court of king's bench, at Montreal, bills of indictment, with several counts, were found against D. Cameron and others of the North West company. The *war* between this company and the Hudson Bay company has not yet terminated.

HAYTI.

A large order has been received at Bielefield, in Westphalia, famous for its linen and damask manufactures, of king *Henry* of *Hayti*. The arms of the sable monarch are to appear on the table linen, with the motto, "*God, my cause, and my sword.*" Large orders of jewelry, &c. for the queen, have been executed at Hamburg and Bremen; and if splendor and magnificence constitutes the attributes by which *royalty* is distinguished, king Henry seems to have as good a claim to the rank he has assumed as any of his brother sovereigns on this side of the Atlantic. *London Traveller.*

Battle of Waterloo.

The following is given in the public papers as an extract from a volume just published at New-York, entitled, "*Letters on the revolution in France,*" by a French general officer. It details some circumstances of great importance in considering the merits of the famous battle of *Waterloo*—which, it was always our opinion, was rather by the *purse* than the *sword.*

"Previous to the 13th of June, the French army had been recruited with the greatest celerity and secrecy behind the forest of Fagne, between the Sambre and the Meuse, without the enemy being apprised of it. Blucher and Wellington thought that the emperor designed to begin his operations between the Scheldt and the Sambre: Wellington even believed that Napoleon would not act on the offensive.

But on the night of the 13th, Monsieur Le Comte de Bourmont, col. Clouet, formerly aid de camp to marshal Ney, colonel Gordon, and the secretary of Mr. Avbernon, commissary *ordonnateur* deserted to the Prussians. Adrim, major to the imperial guards, also deserted, who had been bribed at Paris by the royalist committee.

The traitors advised the Prussian generals that the French army was going to operate on the Dyle.

The emperor's project was not to begin the campaign by regular operations, but to surprise the Prussian army in its *cantonments* from Charleroi to Liege and the English army in its *cantonments* from Mons to Brussels.

The enemies being put upon their guard at all points, and having been thus enabled to unite two scattered armies, the Prussians and the English more than double in numbers to the French, the able and bold dispositions of Napoleon were made abortive through the treason of Bourmont, Clouet, Gordon, &c.

The emperor had chosen for his great MOVEMENT behind the forest of Fagne the very same day that the duchess of Cumberland was to give a ball to the officers of the staff of the English army at Brussels. Had it had not been for the treason of Bourmont, &c. the Prussian and English armies would have been surprised in their CANTONMENTS; they would have been beaten in detail, and no general battle could have taken place. The spirit and opinions of the Belgians and of the department of the Rhine are well known; they would have risen in favor of the French; Austria was then lukewarm in the coalition, and would have seceded from it. Mark the consequences to the French and the rest of Europe.

Bourmont was formerly a Chouan chief, for whom marshal Grouchy had obtained the pardon of Napoleon, when first consul. The emperor had made him a general of brigade; he stuck to his cause until his first abdication, then was made lieutenant-general by La Proege, and commanded in Franche Comte under marshal Ney, governor of that province. When the emperor returned from Elba, the marshal being sent by the king to Franche Comte, Bourmont, as well as the marshal, abandoned the royal cause, when they saw how irresistible was the tide of opinion in the country in favor of Napoleon. Hence he affected the greatest zeal for Napoleon. He hastened to Paris to pay him his court, and from the 28th or 29th of March he was to be seen almost every day at the emperor's levee, who nevertheless was very reluctant to trust him with a command. However, through the interest and solicitations of general Girard and Labadore, whose doors he besieged every morning, and to whom he engaged his word of honor, he obtained the command of a division. When Napoleon heard of his defection, so fatal to him and to France, he told general Girard, "Well my dear Girard, this is a death war between the blues and the whites," [the republicans and the royalists.] Happy would it have been for France had he been conscious of that truth before, and had he acted accordingly towards that cowardly and treacherous party!

Here follows a statement of the numerical forces of the French, Prussian and English armies, such as they were on the 16th, 17th, and 18th of June. On the 16th, at the affair of Fleurus, in which the French made some hundred Prussian prisoners, the French were,

	Men.
Under the emperor on the left side of the Dyle	70,000
On the right side under marshal Grouchy	36,000
The Prussians, Saxons, &c. under Blucher and Bulow	130,000

At the battle of Waterloo, Wellington had,

Under his command, English, Hanoverians, Hessians, Dutch, &c.	84,000
And Blucher upwards of	40,000

During that time marshal Grouchy was trying to cross the Dyle at Vabre, and was fighting to effectuate that object with the corps of Bulow. On the 12th or 13th of June, the emperor had appointed marshal Grouchy commander in chief over the corps of Girard, Vandamme, Excelmans and Pajol.

Orders had been sent at noon to marshal Grouchy to make his junction with the emperor; but the officer sent to carry that order deserted to the enemy.

Thus you see, my dear sir, that it was neither Wellington nor Blucher who gained the battle of Waterloo, but Gneisnau, chief of the general staff of the Prussian army. It was he who ordered general Bulow, whilst fighting with marshal Grouchy, to detach the greatest part of his forces in the evening, to support Blucher. At 4 o'clock every thing announced the battle was gained by the

French, notwithstanding marshal Ney refused twice obeying the emperor's order, not from any bad motive, but because he could not be persuaded to change a position in which he had been, for some hours beating the enemy to atoms.

When a fair and liberal account of that celebrated battle shall be given by Prussian and French military men of candor and abilities, and of the events which preceded it, it will be seen, that never has Napoleon's military genius shone in brighter lustre and that his defeat is owing principally to the treason of Bourmont and others—a new kind of disgrace the French name owes to the return of the Bourbons to France. Some commanders, too, made *fatal* blunders; and let them not apologize at the expence of Napoleon—of Napoleon, who loaded them with favors and dignities. Fortune or treason may oppress a great man, but incorruptible history is always *there* to preserve his glory inviolable.

Having handled rather roughly the author of Paul's letters, candor obliges me to declare, that I have learned lately, from unquestionable authority, that his account of the battle of Waterloo is fair and correct, as far as relates to the dispositions and execution of the English commander in chief.

If marshal Wellington did not exhibit great military foresight in thinking that Napoleon would not act on the offensive, the French generals who have had an opportunity of observing his conduct during the battle, do him the justice to say, that from the beginning to the end of the battle of the 18th, or of Waterloo, he displayed a great ability and wisdom in the manner he disposed of the divers corps under his command.

But I will repeat it, had it not been for Bourmont and Co's treason, the emperor would have cut and destroyed the Prussian and English forces in their cantonments before they could have time to assemble and unite.

These are the only authentic documents I can, for the present, communicate to you on that catastrophe.

I am, dear sir, yours, &c."

Arts, sciences and improvements.

INDIANA.—We are glad to find, by an advertisement in a Chilicothe paper, that Mr. *Samuel Williams*, of that place, has completed his map of the state of Indiana. From a knowledge of Mr. *Williams*, (to whom, more than to any other man, the readers of the WEEKLY REGISTER have been indebted for correct information from the western country) we venture to say, that in the execution of this work all that could be expected from faithful industry, aided by a discriminating and intelligent mind, will be realized. He has had many and the best opportunities to accomplish this work; and which, we have no doubt, have been improved to their utmost extent.

New Jersey Canal.—A canal, the object of which is to connect the waters of the Delaware with those of the Raritan, passing through the state of New Jersey, appears to be seriously contemplated. By a very able and well digested report of three commissioners, appointed by the legislature upon this subject, the question is very fairly stated to the public. The various old projected plans are abandoned as impracticable. The distance from the banks of the Delaware, or Croswick's creek to Longbridge farm, and thence to the banks of the Raritan, between New Brunswick and Washington, is about 29 miles, and the canal can be constructed upon a dead level, without the necessity of a lock. The route will not deviate two miles to the N. W. or S. E. of a straight line, and the only assent or descent, which is about 136 feet, is on the banks of the river between the tide waters and the canal. The estimated cost is 836,824 dollars, and the two important items of expenditure are, first, for 29 miles 418,528 dollars; and, second, the amount of locks, 1250 dollars per foot, 170,000 dollars.

Iron pavement.—The experiment of paving London streets with iron, has been tried on the south side of Blackfriars Bridge, and has so far succeeded that we learn it is intended to pave some streets in the city in this manner, under the auspices of the lord mayor. It is computed that an iron pavement, well adjusted will endure for twenty years in a great thoroughfare; whereas it is too well known that a stone pavement requires repairs and re-adjusting two or three times a year, and renewing every three or four years. The pieces laid down in Blackfriar's road resemble a batch of eight or nine rolls as taken from the oven. During many weeks, under every kind of load and the roughest usage, the firmness of this mass has been undisturbed, and no doubt remains of the success of this experiment.—*Repertory of Arts, Manufactures and Agriculture.*

Expeditious painting.—Paris, among other novelties, has lately boasted of a most expeditious painter. The rapidity of his pencil is really astonishing. He paints a portrait in water colors in two hours—give him three hours he will finish one in oils. He will complete a profile in a quarter of an hour, and a slight sketch in a minute. He can finish a picture of two or three feet in two days. The ladies of fashion visit him with their families at ten in the morning, and carry with them to dinner finished likenesses.—*Journal des Dames.*

Legislature of South Carolina.

Fellow citizens of the senate,
and of the house of representatives:

I regret much that it has, so soon, become necessary to call you from your domestic retreats, at a time when your attention to agriculture and civil pursuits is so interesting and important to the state and to yourselves. I have no doubt however, that you will cheerfully submit to personal inconvenience, if your attendance can be made conducive to the public good.

At the last session of the legislature, "A bill to alter the 3d section of the tenth article of the constitution of the state of South Carolina," was passed agreeably to the constitution, and ratified on the 19th December, 1816. There was also an act entitled, "An act to provide a more expeditious mode for disposing of the causes on the dockets of the constitutional courts at Charleston and Columbia," passed and ratified on the same day, viz, on the 19th December, 1816. This act, making provision for the sittings of the constitutional court at Charleston and Columbia, a majority of the judges of the courts of sessions and of common pleas has adjudged to be unconstitutional, and that therefore they had no power to hold that court.

This being the only court heretofore provided by our costitution or laws, before which, motions for new trial, or in arrest of judgement could be brought up from our courts of sessions or common pleas, we are by this decision of the judges, deprived of a court indispensible in the steady administration of justice. To restore this link in the system of our jurisprudence, there is no power adequate but that of the legislature.—It is therefore that I have thought proper to convene the legisla-

ture, that there may be neither delay nor denial of justice. To this subject, which is of great importance, your early attention is invited at this time.

I will further ask your indulgence, in submitting for your consideration one other subject which, if neglected, until the constitutional meeting of the legislature, will be too late for your interposition. At your last session, an act was passed to confirm the treaty between the state of South-Carolina and the Cherokee Indians, and providing for the survey of the lands ceded by the Cherokees to this state. This act requires that *all* the lands so ceded, shall be surveyed and plated off into tracts not less than 100 nor more than 500 acres. I would beg leave to submit whether the law should not be so altered as to require the commissioners to survey into tracts only such parts of the ceded territory as will be fit for cultivation, and which alone will indemnify the state for the survey. It is well known that a very great proportion of this accession, consists of barren, rugged, and almost inaccessible mountains, which will only attract the attention of the wandering herdsman or shepherd. The survey of these mountains will require much time, and cost much money to the state, which will never be refunded from the sale of them. If the whole territory be laid out into tracts according to the provision of the existing law, it is probable the sums arising from the sales will not reimburse the expenditure.

At the time when it was thought expedient to convene the legislature, it was believed that it would be necessary to recommend an appropriation, authorising the comptroller to pay into the treasury of the general government, our quota of the direct tax which had been imposed by congress for the last year, and which it was believed would be again imposed for this year.—The national legislature has, however, not thought proper to re-enact the law imposing the direct tax.

Although our civil and religious privileges, as a people, demand our most devout acknowledgments to the Author of all good; yet we should be humbled by his chastening hand, which is felt in the unusual scarcity which prevails in most parts of our country. This scarcity proceeds, not only from the unpropitious seasons of the last year, but from our greater attention to the productions of our country which procure us wealth than to those which are intrinsically valuable. We should profit by our experience and devote ourselves more to those pursuits which will promote our present comforts and future welfare, looking unto Him who is the author of every good and perfect gift for the blessing. ANDREW PICKENS, Jun.

Columbia, March 25, 1817.

A pleasant little story.

A LADY WITH DEATH'S HEAD.

An end is put to the *enigma* which has so long excited public curiosity. The young lady with *death's head* is distinguished forever: but before we relate the happy and singular *denouement* of this most extraordinary adventure, we shall describe a few of the persons who aspired to the honor of her hand. They calculate among her lovers 547 reformed rakes, and 155 ruined gamesters. She received twenty five or thirty letters from Belgium, (not post paid) written by certain well known characters, who said they never would revolt, though she should prove to be the most hideous object in the world. They were disposed to flatter, caress and wed the plague itself, so they could procure abundance of gold; all their letters remained unanswered, but the generous girl ordered her servant to return thanks to a few poor devils who had solicited her hand in a gallant style. We were permitted to take a copy of the following:—

"Miss,—Report has doubtless painted you less handsome than you are, at least none will refuse to admit that your physiognomy is expressive. I should have had the honor of presenting myself before you, and of declaring my passion, had not pitiless creditors detained me in the *conciergerie*. I must beg you will have the goodness to pay me a visit to receive the proposition I am so anxious to make.—Though you may have shewn a little of the coqnette, to set yourself off to the best advantage, that is not the fault of nature; consequently, it can make no difference in my intentions—No aspect can be more hideous in the eyes of a prisoner, than his prison—Bring me liberty, and you will appear charming indeed! If you should favor me with a visit, you will see a young man, 25 years of age, who has, among other advantages, that of a tolerable person, with a mind proper to meet wordly success. He has, moreover the honor to declare to you his most ardent vows. FOLLEVILLE."

"P. S.—Be so good as to request the gaoler of the Conciergerie to lend his parlor for our interview."

The mind of the young lady did not tend to a union in pursuance of the above invitations, but her heart was not insensible. She desired to find in France a husband to answer one she had drawn in her mind. In the brilliant society she attended constantly in a mask of wax: she distinguished a young man of noble and interesting countenance, whose mind had been well cultivated. He had a fortune which placed him above interested views. The young man, on his part, was charmed with the graces and delicate sentiments which the young lady with invisible features displayed in her conversation. In short, he declared, that all his happiness depended on a union. She did not deny the impression he had made on her heart nor conceal the pleasure she would feel in acceding to his proposal, but she expressed to him, at the same time, the dread that he would repent on beholding her face, which she described to be that of death in its most terrific form. She urged him to beware of rashness, and consider well, whether he could bear the wretched disappointment he might incur. "Well, well!" said the young man, in a tone of penetration, "accept my hand, and never unmask to any but the eyes of your husband." "I consent," replied she, "but remember, that I shall not survive the appearance of affright and disgust, and perhaps contempt, you may feel after marriage." "I will not shrink from the proof; it is your heart, and not your figure I love." "In eight days," said the lady, "you shall be satisfied." They prepared for the marriage, and, notwithstanding the refusal of the generous young man to accept a million in bank bills, she settled all her property on him. "If you have not courage enough to suffer," said she, "for your companion, I shall, at least, be consoled by the reflection that I have enriched him I love, and he will perhaps drop a tear to my memory." Returning from the altar she threw herself on her knees before her spouse, and placed her hand upon her mask—What a situation for the husband! His heart palpitated; his face turned pale—the mask fell—he beheld an angel of beauty! She then exclaimed affectionately—"You have not deserved deformity; you merit the love of beauty."

The happy couple left Paris the day before yesterday for Livonia, where the immense property of the lady is situated. There will be no more talk at Paris respecting the lady with death's head.

[*Gazette de France Jan.* 6.

CHRONICLE.

Mr. *Madison* left Washington City on the 6th inst. for his seat in Virginia—a private citizen; "deposed" from the office of president of the United States by a voluntary retirement from it.

Col. *Appling*, distinguished for his gallantry in the late war, recently died at Fort Montgomery, in the Mississippi territory.

SOMETHING NEW.—Jonathan Russell, (to use a yankee phrase) lately "doubled" with a Miss Smith. The approaching nuptials were thus announced in the *Boston Centinel:*

"This forenoon, the hon. *Jonathan Russell*, late minister to Sweden, will be married to Miss *Lydia Smith*, daughter of Barney Smith, esq. The nuptials will be solemnized in the *King's* Chapel, by the rev. Dr. Freeman.

We are told that the "*King's* chapel was crowded to such an excess that great exertions were necessary to prevent injury to the spectators"—and as how the bridegroom was bedecked with a nuptial favor—as how the coachmen, the horses, and the carriages were ornamented with ribbands &c.—as how the people were fools enough to salute the *spectacle-makers* with three cheers, to which Mr. R. politely returned a bow, and the like. We have laughed at the gossippings of the Londoners about *Charlotte and Coburg*; but really this tale about "brother Jonathan" exceeds the whole; for it was not to have been *calculated* upon The scene exhibited has no part in the character of a *republican American*, and we hope never to hear of its repetition in the United States. It has met with due reprehension every where.

The beautiful and very superior brig, "*Cleopatra's Barge*," capt. Benjamin Crowninshield, has sailed from Salem on a voyage of pleasure, observation and improvement.

WAR DEPARTMENT,

Sections of bounty lands.

All persons entitled to military bounty lands for services rendered the United States during the late war, would do well to recollect the notice given from this branch of the war department, so long since as the 22d of August, 1815, and which has been repeated in the public newspapers many times since that date, viz:

"A land warrant will *not* be issued to an *executor* nor to an *administrator*. The government of the United States has not authorised any person to act as an agent for the purpose of transacting any part of the business relative to the obtaining military land warrants; which will, as usual, be issued gratis at the war department: nor does it recognize any pretended *land office* for *such purposes*, nor any other *agency* of that nature, in any state of the American union.

"August 22, 1815."

In addition to the above, it may be proper to remind applicants of the classes above referred to, that their letters and documents need not be addrest to any individual at the seat of government, by name, but simply to "THE SECRETARY OF WAR, *Washington city, D. C.*" Their communication should contain the address to which the reply ought to be transmitted. April 8, 1817.

Charleston, April 29.—A gentleman of veracity, who arrived this morning in the Southern Stage, from St. Augustine, informs us that a new governor is daily expected there, who has power and authority from the government of Old Spain, *to sell the Floridas to the Americans.*

The gentleman alluded to, derived this information from the *highest authority* at St. Augustine.

☞It is rumored, says the Augusta Chronicle of the 29th ult. that the governor of Pensacola has requested general *Gaines* to take possession of that place, in order to secure it against the contemplated attack of the patriots. It is certain that our brave general and the Don have had an interview; and there is little doubt but a solicitation of the kind has been made, and received, as it should, a prompt but respectful negative.

The paucity of Ferdinand's resources, and his inability to protect his colonies, appear to be daily manifesting themselves—while the patriots, slowly but surely advancing, are reconciling their discordant materials, increasing their numerical force, and giving a more bold and respectable tone to the character of the revolution.

DIVISION ORDERS.

Adjt. Gen's. Office, N. Y. March 22.

The following changes in the command of the departments will take place on the first of the ensuing month. Brig. gen. Porter is assigned to the command of the fourth department, and after his arrival therein, will report the place he may select for his head-quarters. Brigadier general Miller is assigned to the second department. Colonel Mitchill, on being relieved, will wait orders of the general of division, who regrets that circumstances in the regulation of commands have arisen which prevent him, in the assignment to a similar station, from availing himself of the high degree of ability and zeal which the colonel has ever displayed in the command of the fourth department, and in every other while serving under his orders.

By order of major-general Brown,

C. K. GARDNER, Adj. Gen.

Dept. No. 4—A true copy.

By order, G. DEARBORNE, Adjt.

Milledgeville, March 25.—Early in this month two or three murders are reported to have been committed on the borders of Camden county, by the indians. Complaints have been made to the executive of this state, from time to time, during the last six months, of injury sustained by them from the whites; these murders are more likely to be in *retaliation*, agreeable to savage custom of seeking redress. The Seminole indians, we are assured from high authority, have been plundered, and one or two of them murdered, by a banditti (a remnant of the self-stiled patriots) who infest a part of East Florida, adjacent to this state. The atrocities of these miscreants have probably brought on our citizens the horrors of the tomahawk and scalping knife; and a renewal of such scenes may be anticipated, until that nest of thieves shall be broken up. The depredation on the indians being committed in East Florida, the perpetrators when they can be identified, are not amenable to our laws; and the governor of East Florida either has not the means, or wants the disposition to punish them. A small military force at Trader's hill, would, it is believed, give security to that part of the southern frontier, and our government we hope will see the propriety of stationing there, such number of troops as will secure the peaceful citizens against violence from red or white savages.

NILES' WEEKLY REGISTER.

No. 3 Vol. XII.] BALTIMORE, SATURDAY, APRIL 19, 1817. [WHOLE NO. 294.

Hæc olim meminisse juvabit.—VIRGIL.

PRINTED AND PUBLISHED BY H. NILES, AT THE HEAD OF CHEAPSIDE, AT $5 PER ANNUM.

Gentlemen of the bench and bar, and the public at large, will read, with unusual interest, the opinion of judge BLAND, inserted in the present number, as involving matters of the highest importance. It is high time that the question of jurisdiction was settled; and we trust that the next session of congress will not pass over without the adoption of measures necessary to it.

"Modern Antiquities."

Having commenced a search for materials to make a volume of revolutionary speeches, orations and papers, we have thought that many *old* things, already noticed, can hardly fail of arresting the attention of the careful observer of the present day, which do not come exactly within the plan of our proposed undertaking: but they shall not, on that account, be lost—having resolved to revive some of them by a republication in this work.

MARYLAND STATISTICS.

On the 8th of December 1774, a meeting of deputies, from all the counties of the colony of Maryland, was held at Annapolis, chiefly for the noble purpose of adopting measures to support the proceedings of the "continental congress"—present 81 gentlemen; *John Hall*, in the chair, *John Duckett*, clerk.

After passing several patriotic resolutions, the convention agreed to recommend to the several counties to raise the sum of 10,000*l.* for public purposes, by subscription, or "such other voluntary manner" as might be thought most proper. The apportionment of this sum amongst the counties at that period, according to their then supposed wealth, compared with their quotas of the United States' tax, as determined by congress in the act levying the same in 1813, is a statistical curiosity.

The second column shews the sums assessed on the several counties, by the convention, in 1774, and the third the assessment made by the act of congress in 1813.

COUNTIES.	Assessment in 1774.	Assessment in 1813.
St. Mary's	$600	$3,950
Charles	800	6,740
Calvert	366	2,410
Prince George's	833	7,690
Anne Arundle	866	9,810
Montgomery		5,110
Frederick	1,333	14,170
Washington		7,372
Alleghany		2,210
Baltimore	933	48,670
Harford	466	5,350
Worcester	533	4,910
Somerset	533	5,540
Dorchester	480	5,510
Caroline	358	2,250
Talbot	400	4,140
Queen-Ann's	533	5,630
Kent	566	4,213
Cecil	400	5,950

The counties printed in *Italic* were formed since 1774. *Montgomery* was erected from Anne Arundle and Frederick counties—and *Washington* and *Alleghany* were taken entirely from Frederick.

The assessment made by congress in 1813 was very far from correct—for while a majority of the counties paid as much as 16 cents on the real valuation, one stood as high as 39, and another as low as 5 cents—but we have preferred to put estimate against estimate, as the best way of arriving at the *opinions* held in the periods stated. Dorchester, Charles and St. Mary's were assessed too high, and Washington, Frederick and Montgomery too low, in 1813. The rest were tolerably accurate.

The various comparisons growing out of this table, every one will make for himself. The rapid rise of *Baltimore*, however, claims attention. In 1774, St. Mary's and Caroline, together, were supposed more valuable. In 1813, Baltimore was esteemed about *eight* times more valuable than these counties, and was asssessed for more tax than St. Mary's, Charles, Calvert, Prince George's, Anne Arundle, *Montgomery* and Frederick, which were rated at *five* times her value, by the convention.

The actual valuation of St. Mary's, Caroline and Baltimore, as determined by the board of principal assessors of the United States' direct tax, in 1814, were as follows:

St. Mary's	1,902,122
Caroline	1,253,097—3,155,219
Baltimore	31,276,269

Having a ten-fold increase of value in the latter, compared with the said two counties, in 40 years.

ASSIZE OF BREAD.

Philadelphia, April 3. 1775.—"White bread"—1*d.* loaf to weigh 7*oz.*; 4*d.* do. 1*lb.* 11½*oz.*; 12*d.* do. 5*lb.* 2½*oz.* [The 11*d.* or 12½ cent loaf at Baltimore, *now* weighs about 1*lb.* 6*oz.*]

Life of Fulton.

Proposals are issued at New-York for publishing by subscription THE LIFE OF ROBERT FULTON, by his friend, *Cadwallader D. Colden*; read before the Literary and Philosophical society of the state of New York; comprising some account of the invention, progress and establishment of steam boats, of his improvements in the construction and navigation of canals, and other objects of public utility.

The work will be published in an octavo vol. of about 400 pages, embellished with a likeness of Mr. F. from an original painting—at 250 cents. A few copies will be printed on large paper, with proof impressions of the portrait, at $4.

Extract from the address to the public.

"No species of literary composition is, perhaps calculated to excite a livelier interest, or to afford more valuable information, that the memoirs of those distinguished characters, whose superior talents have placed them on the summit of human life, and whose enlightened researches have tended to adorn the character, or to increase the happiness of man.

"If the claims of departed benefactors on the justice and admiration of those to whom they have

bequeathed the rich inheritance of their intellectual treasures, should be estimated in proportion to the value and extent of the benefits they have conferred, the people of these United States have a vast and sacred debt of gratitude to discharge.

"Few, indeed, are the nations, that in the same space of time, have produced so great a number of beneficent and enlightened men, whose ardent and invariable pursuits through life have been to advance the interest of useful sciences, and to extend the boundaries of social happiness. If to particularize would not appear invidious, how justly should be inscribed on the fairest pillars of the temple of fame, as benefactors of mankind, the names of Franklin, Rittenhouse, Rumford, Godfrey, Livingston, West and Murray; names of which America should, and it is hoped ever will be proud.

"To this splendid list of eminent and distinguished Americans, must be added the name of Robert Fulton; a man who, by the powers of native genius and a spirit of adventurous perseverance, from which no difficulties could deter, nor discouragements dishearten, finally succeeded in bringing to perfection the greatest, because the most valuable, invention of modern times; an invention, the immense importance of which had secured him, while *living*, a well earned celebrity in both hemispheres, and which will transmit his *memory* with grateful recollections to the latest posterity. Always occupied with plans of public utility, his fertile genius has achieved what, before he appeared was considered as equally impracticable to realize as the vision of the enthusiast or the dreams of the Alchymist. By the wonderful combination of mechanical powers, this American Archimedes has constructed, for the protection of his country, a bulwark of defence, more powerful than the machines of the *Mathematician of Syracuse*."

☞The Literary and Philosophical society of New-York, deploring the decease of Mr. Fulton, cut off in the midst of his usefulness, as a national loss, and respecting the memory of so valuable and distinguished a member of their institution, selected *C. D. Colden*, esq. to compile a memoir of his life; which being read to the society and highly approved, has been given up, by request, for publication—the proceeds of the work, after defraying expences, are to be appropriated to the erection of a monument to the honor of the late Mr. F.

☞Subscriptions for the life of Fulton will be received at the office of the WEEKLY REGISTER.

The Shakers.

In page 74, of the present volume, we published a bill before the legislature of New York, respecting Eunice Chapman and the Shakers, &c.

We have since received a small pamphlet containing an address to the legislature of that state, by James Chapman, husband of Eunice, with a similar address from certain persons on behalf of the society of Shakers, at Watervliet.

Chapman ascribes his separation from his wife to her bad temper, and describes her as a perfect termagant—and gives a long narrative of particulars to do away the impression she had made in her favor; entreating that the legislature will not attribute to an innocent society the acts of individuals with which they had nothing whatever to do. And the Shakers disclaim any agency in parting man and wife, and say it is not a principle of their faith that the joining of their society disannuls the marriage contract—which however does not prohibit a separation provided it be voluntary and lawful. No married woman is received without the consent of her husband—and a married man may not put his wife away "if she conducts herself as the law and marriage covenant require." But if a man provides for his wife and children, and the wife refuses to live with him "unless he will consent to violate his religious faith," it is both lawful and necessary for him to separate himself from her. Declares that a wife or child ought not to be deprived of any part of their just interest in the man's property or estate, &c. They state that the quarrel between Chapman and his wife originated before they knew either of them; and express a hope that they may "not be scandalized at the instance of a censorious and defamatory woman;" remonstrating, in very forcible terms, against the passage of the law, which goes to consider them as "civilly dead;" saying there is no cause for such a law, &c. and passing over the allegation of their abstinence from "sexual cohabitation for conscience sake," by asserting that such an imputation cannot injure them, &c.

The pamphlet has an interest in developing some of the points of doctrine held by this people, and we could not do less than take this notice of it, after having inserted a copy of the law affecting them.

In the debate on the bill above alluded to in the house of assembly, it seems to have been admitted that the Shakers consider marriage, or sexual intercourse, unlawful. The bill, however, was warmly opposed on the ground that it was unconstitutional—that the Shakers, as a religious society, sober, industrious and inoffensive, had an undoubted right to the common protection of the laws, as long as they did not disturb the public peace, &c. But the bill was passed, as inserted in this paper, without material alteration.

Highly important Law Case.

COMMUNICATED FOR THE WEEKLY REGISTER.

The case which drew forth the following opinion gave rise to three very important questions; first, Whether the judicial officers of Maryland could, in any way whatever, take cognizance of a criminal infraction of the laws of the United States? The opinion is confined exclusively to the consideration and determination of this question. Secondly: Whether any offence at all had been committed against the United States, of which the federal courts could take cognizance, supposing all that had been stated to be entirely true as stated? As to this question it was strongly urged, that by the treaty between the United States and Spain, of the 20th of October, 1795, article 14, it is declared, "Nor shall any citizen, subject or inhabitant of the said U. States, apply for, or take, any commission or letters of marque, for arming any ship or ships, to act as privateers against the subjects of his Catholic majesty, or the property of any of them, from any prince or state, with which the said king shall be at war. And if any person, of either nation, shall take such commissions or letters of marque, he shall be punished as a pirate"—that the true and only correct construction of this article was, that the offender might be punished, *by the injured nation, as a pirate;* not that the offence, in itself, should be deemed and held to be *piracy;* and that it could not be presumed, that the United States had or would stipulate to treat any of their own citizens as *pirates* for doing what was so very common among all nations; that is, the citizens of a neutral entering into the military or the naval service of one of the belligerents. And, consequently, that the most which could have been in-

tended by the treaty was, that a citizen of the United States, who should be taken in such kind of naval service, should not be entitled to the protection of the nation to which he belonged; but might be punished *by his captors as a pirate*. And thirdly: Whether the thirteenth article of the amendments to the constitution of the United States had not virtually repealed this provision in the treaty with Spain, which could only affect the prisoner as being a *citizen* of the United States? The amendment declares, that if any citizen of the United States shall, without the consent of congress, accept and retain any office, or emolument of any kind whatever, from any foreign power, such person shall *cease to be a citizen* of the United States.

In the following opinion, the question relative to the jurisdiction of a state officer, appears to have been investigated and decided, in the only way in which any such constitutional question ought to be determined, that is according to the meaning of the constitution itself, collected *ex viseribus suis*. But this investigation will naturally suggest other considerations relative to *sound policy* and *expediency*, which are foreign in their nature, to a rigid judicial enquiry—and these are, whether it would be most *politic* and *expedient*, or otherwise, to have the general government more dependent than it now really is upon those of the states? Or the same subjects might be presented to the mind in another form; so as more distinctly to recall to our recollections the discussions which took place when the constitution was laid before the people for their consideration and ratification, that is to say, "is the government of the confederacy, in its present form, preferable to that which existed under the old articles of confederation, and in what respects?

The present constitution, it will be recollected, was advocated, opposed and canvassed in two great leading points of view—first; whether the powers therein specified should be given *at all or in any shape whatever?*—And secondly; as to those powers which it was conceded the government of the confederacy ought to have, it was questioned, whether they ought to be given *as to a confederacy*; to be exercised in the shape of *requisitions* upon independent sovereignties; or be invested in a *national government* endowed *with the power and the means to act independently of, and superior to the will and pleasure of the state sovereignties?*

But, if the general government could exercise the powers with which it is invested by *requisitions only*, and not by its own agents; its very essential and substantial principles would be changed. It is not the intention, however, in these few preliminary remarks to undertake to consider, or to determine, whether it would be safest and best in this, or in any other instance, to limit the powers of the general government to a right of *peremptory requisition*, or to invest it with the *powers and attributes of an independent sovereignty*. The subject is no less important than extensive. It is, therefore, thought most advisable merely to make a few suggestions and leave it to the investigation and meditation of the reader.

In answer to the arguments of *inconvenience*, that have been urged by those who contend, that it is necessary, in certain cases, to invest state officers with a portion of the judicial power of the union, it will be sufficient to observe, that there is no defect or deficiency of power, in this respect, in the federal constitution; but, if there be a fault, it is attributable solely to congress, in not executing the powers which have been most clearly and unquestionably invested in them. For congress may constitute such inferior tribunals or magistrates as they may think proper. And, consequently, the only questions worthy of consideration are, whether or not it be expedient, that congress should execute this power, and in what manner they should constitute inferior tribunals and officers; or whether it would be best that the interests of the nation should continue to swing along by the skirts of the state authorities, until some great crisis shall arrive which shall expose our imbecility to the world, and cause every state of the union to feel the absolute necessity of bracing the judicial arm of the nation.

The state of Maryland vrs. Thomas Rutter esq. acting as marshal of the Maryland district.

BLAND, judge.—This case has been brought before this court by a writ of habeas corpus directed to Thomas Rutter, esq. acting as marshal of the district of Maryland, commanding him to have the body of Joseph Almeida before this court, together with the cause of his caption and detention —In obedience to which he has returned, that he detains Almeida by virtue of a warrant issued by Thomas W. Griffith, a justice of the peace of the state of Maryland, in and for the body of Baltimore county, of which the following is a copy:

"*Baltimore county ss:*—

Whereas information upon oath has been given to me, that Joseph Almeida, a citizen of the United States, has been engaged in cruizing and capturing the property of the subjects of the king of Spain; and has taken a commission from a prince or state, with whom the king of Spain is at war, to act as a privateer against the subjects of the said king of Spain; which act is, by the treaty between the United States and the king of Spain, an act of piracy; you are, therefore, hereby, required to arrest the said Joseph Almeida, for the said offence, and him safe keep, so that you have his body before the judges of the circuit court of the United States, for the district of Maryland, on the first day of May next, to be dealt with according to law; and for so doing this shall be your sufficient authority.

Given under my hand and seal this 2nd day of April, 1817.

(Signed) THOMAS W. GRIFFITH, L. S.

To *Thomas Rutter, esq.*

Marshal of Maryland district."

The petition of Almeida, praying to be relieved by habeas corpus, was presented to me during the last short recess of this court; and conceiving that the case was likely to give rise to some questions of great importance, I, therefore, made the writ returnable to court

I have always felt, as I have heretofore had occasion to express, the greatest reluctance to entertain jurisdiction in any case, which was likely to lead to a conflict between the judicial power of this state, and that of the union—But when necessity presses such cases upon me, and there is no alternative, I must endeavor to act in a manner becoming my station; for in such cases, however difficult, or painful the duty may be, I feel that I am bound to make an effort to surmount the difficulty and to discharge the disagreeable task.

As an arrest, or a commitment, or a trial presupposes an authority, power, and jurisdiction; it will, therefore, be necessary, in the first place, to dispose of the question relative to jurisdiction. For, if the judicial officers of the state cannot have any jurisdiction whatever, invested in them, by congress, in any criminal case; it is evidently useless to inquire, whether there be such proof of criminality, for which the accused may, or may not be com-

mitted for trial, before the proper tribunal of the United States—I shall, therefore, lay aside all the exceptions, that have been taken to the warrant of commitment; because, there can be no doubt, that if the judicial functionaries of the state have been constitutionally invested with jurisdiction, in cases of this sort, by the 33d section of the act of congress of the 24th September, 1789; and it appears from the whole return, that the laws of the nation have been violated, this court would take care to recommit the accused with a due degree of legal formality.

As to the legality of this court's entertaining jurisdiction, in any way, in this case, circumstanced as it now is, it will be sufficient to observe, that, the right to speedy relief from illegal imprisonment, by means of the writ of *habeas corpus*, is one of the most valuable of the rights of the citizen; and the authority of the state tribunals to grant such writ is, certainly, as important as any other which they exercise. Any restraint of such right, therefore, should be clearly shewn. It is acknowledged, there is no express qualification of the authority of the state courts, in this respect, contained in the constitution of the union; nor is their jurisdiction impliedly circumscribed in any manner whatever; except by the exclusive powers vested in the tribunals of the United States. Therefore, this court has an unquestionable jurisdiction in this case; unless it appears by the return, that it has been constitutionally placed under the exclusive cognizance of the United States' courts. It is not enough, that the officer, who has the prisoner in custody, be a legal officer of the United States; it must also appear, that his authority to arrest and detain is legally derived from the United States; for if, on his authority being shewn, it shall be found to be unconstitutional and void, the prisoner must be discharged. But, in questionable cases, where a person was in the custody of a legal officer of the United States, and there was a doubt whether the case was embraced by a treaty, or law, according to its true construction, or not; or whether the courts of the United States might or might not take cognizance of the matter, with which the prisoner was charged; and the like, I should deem it proper to leave the determination of such dubious point to the federal courts—7 *Niles' W. R. supp.* 96—5 *Niles' W. Reg. supp.* 141—because, they are undoubtedly the constitutional tribunals for the decision of all such questions, arising under the constitution, laws, and treaties of the nation: and in whose wisdom and integrity, we are bound, as public officers, by those principles of comity which come in aid of the great ligatures, that hold the state governments together, to repose the most unlimited confidence, until such confidence shall be expressly shewn to be misplaced.

The great question, then, is: *Can congress, constitutionally, invest the judicial officers of this state with any portion of the judicial power of the United States, in any criminal case whatever?*

In the consideration of questions of this nature it is of no consequence, to determine, whence the government of the United States sprang; whether from the people, or the states of the union, or from both, as the only principle necessary to be borne constantly in mind is, that laid down in the tenth article of the amendments; by which, it is declared, that, "the powers, not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people." The government of the United States, being thus defined to be a restrictive and limited one; to prove, therefore, that it has jurisdiction in any particular case, it is requisite that an express grant of power should be shewn, or else, that the power claimed should be shewn to be essentially incident to one expressly given.

Keeping this leading feature of the constitution of the union constantly in view, I shall first clear away some questions apparently of a similar nature, and then investigate the one before us singly, and unassociated with those of its kindred, which, when taken together seem to have occasioned much difficulty and confusion, as well as some degree of alarm, at the probable consequences of having this whole family of presumed rights and constructive powers banished from the constitution of the United States.

The first class of cases, which have some analogy to that now under discussion, are those in which the state courts claim a concurrent jurisdiction with the courts of the union. To this class may be assigned all those civil cases, of which the state tribunals *may* take cognizance; if the parties concerned choose to resort to them; and which cases are not, by the constitution, exclusively vested in the tribunals of the United States. Such, it is admitted, are cases of controversies between citizens of different states, between citizens of the same state, claiming lands under grants of different states, and between citizens and foreigners. In all cases of this kind, until legally removed from before them, it is conceded that the state tribunals have complete jurisdiction; because, to all such cases the jurisdiction of the state courts extended before the adoption of the federal constitution; and there is nothing in that instrument, which can well be construed to have excluded them from the exercise of such authority; and therefore, their powers are said to be so far concurrent with the courts of the United States. Questions, relative to a concurrency of jurisdiction, always give rise to an enquiry, as to what cases the judicial power of the union shall extend; and what is the nature of the powers with which those tribunals are clothed. But, the question now before us, involves no such inquiries, it is, whether or not congress may authorise the state courts to exercise a jurisdiction, similar to that of the United States courts, and in the *name* of the United States. A single example will sufficiently illustrate this distinction as regards criminal cases. The act of congress of the 21st April 1806, which provides for the punishment of counterfeiting the current coin of the United States; in the fourth section, recognizes and preserves this concurrency of jurisdiction, by declaring, "that nothing therein contained, shall be construed to deprive the courts of the individual states of jurisdiction, under the laws of the several states, over offences made punishable by that act"—In January 1816, the court of appeals of South Carolina decided, in the case of The State vrs. Joseph Antonio, that the state judiciary was not deprived of a concurrent jurisdiction to hear, try, and condemn *under the state laws*, (making the counterfeiting the current coin felony) by any thing contained in the constitution or the laws of the United States; because, before the establishment of the general government, they had jurisdiction in such cases, and not being divested of such authority by any express, or necessarily implied provision of the constitution, it remained, and might be concurrently exercised with the courts of the United States. And Antonio being convicted was accordingly condemned and executed. But it was not pretended, that a state court could hear, try, and condemn for that

offence *under the act of congress; and in the name of the United States.* From which, it clearly appears, that to act upon the case, the jurisdiction may be concurrent; but to act in the *character* and *name* of the United States, is an affair of a totally different nature. Hence, it is evident, that a question concerning concurrent, original, judicial power is totally different from that respecting the right of congress to confer such power upon certain state officers. The questions relative to the exercise of powers concurrently, are, therefore, foreign to the present enquiry.

But there are certain legal principles laid down by the constitution itself; or which it directly, or indirectly, authorises congress to prescribe, to all the tribunals of all the states of the union, as *rules of judicature*, which are conclusive and binding; because all the judicial officers of the several states are bound, by the explicit provision of the second section of the sixth article, to regard the constitution, as well as the laws and treaties made in pursuance thereof, as the supreme law of the land. A few examples will illustrate this position. The first section of the fourth article declares, that "full faith and credit shall be given, in each state, to the public acts, records and judicial proceedings of every other state." This, then, is a law of the confederacy; a *rule of judicature*, which every state tribunal of the union is bound to observe. The latter part of this same section declares, that "the congress may, by general laws, prescribe the manner in which such acts, records and proceedings shall be proved and the effect thereof." The acts of congress, made in pursuance of this provision and authority, are, in like manner, laws of the confederacy and *rules of judicature*, which the courts of the several states of the union are bound to observe. Congress are, by the eighth section of the first article, authorised "to lay and collect taxes, duties, imposts and excises." By virtue of this power, they have thought proper to impose a stamp tax on certain instruments of writing; and, as a means of enforcing the collection of such tax, they have declared, that an instrument of writing, on which a stamp tax is required to be paid, shall not be evidence unless stamped. And this alteration of a legal rule of evidence has been held to be binding on the state courts; because it is necessarily incident to the power to lay such a tax, as a means of enforcing its collection and payment.—*Virginia cases*, 128. So congress have, by the same section, the power "to regulate commerce with foreign nations, and among the several states, and with the Indian nations." And, as a necessary incident to this power, they have assumed the right, and, as it would seem, correctly, to regulate the maritime contracts of seamen, engaged in the merchant service, as being a class of persons who may fairly be considered as the immediate instruments by which commerce is conducted. And, in order to enforce the specific performance of a maritime engagement entered into by a seaman, an arrest and detention of his person, so as to be delivered immediately into the service contracted for, has been provided for and authorised by an act of congress.

In none of these, or any such cases, however, does the constitution or congress invest the judicial functionaries of the states with new and original jurisdiction, either of a civil or criminal nature; but the constitution either lays down a *rule of judicature*, or it authorises congress to do so, either in express terms or as necessarily incident to some power granted. But the prescribing of a rule of judicature to the judicial officers of a state, relative to the kind of faith and credit to be given to records; as to the authentication of judicial proceedings; as to the manner of enforcing the specific performance of a seaman's contract, and the like, is manifestly very different from the investing of such officers with a portion of the original judicial power of the United States in criminal cases.

The constitution of the United States, not only declares the general government to be a limited one, but it also prescribes certain boundaries to those of the several states. The tenth section of the first article declares, that "no state shall enter into any treaty, alliance or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post* law, or law impairing the obligation of contracts, or grant any title of nobility." These provisions are thus, virtually, engrafted upon the constitutions of the several states; and are, in like manner, obligatory upon the several members of the several state governments. They may be, in many respects, considered as *rules of judicature;* but they confer no judicial power, nor do they authorise any to be granted; they are, therefore, unconnected with the present question.

In those cases, clearly within the jurisdiction of the United States' tribunals; although it is admitted, that those courts can control the person, or the property of the litigating party; yet, it is doubted, whether, in such cases, the United States' courts can control the state tribunals, which may have undertaking to exercise a concurrent jurisdiction.—And the exercise of such control has been solemnly said to be "a right which congress has not asserted; which the supreme court has not asserted; nor does there appear any necessity for asserting." That the right to control the judicial authorities of the states has not been asserted, has, confessedly, been; because there was considerable doubt with congress and the supreme court whether it could rightfully be done.—1. *Wheaton* 381, *Martin* vs. *Hunter's lessee.* But to control state tribunals, although doubted, would seem to be included in the right to invest them with original jurisdiction. The right to control, and the right to invest judicial power, are, however, although strongly analogous, yet essentially different. The right to control may be, and perhaps is, in many respects necessary, as a means of preserving the judicial power of the nation from dilapidation; but the right to invest judicial authority may be used as an easy means of enlarging the powers of the general government, or wielded as a weapon to prostrate those of the states.

Having thus stripped the subject before us of such analogous, but foreign matter, as seemed likely to obscure or retard our investigation, we shall be enabled, with less embarrassment, and in a more single form, to consider the quetion before us; which is, *Can congress invest any of the judicial officers of this state with any portion of the judicial power of the United States, in any criminal case whatever?*

It may be affirmed, with perfect confidence, that the several state governments of this union are as totally foreign and alien to each other as those of France and Russia; except, so far as they may have been, by the constitution of the union, confederated and amalgamated. And it may, with equal confidence, be affirmed, that the general government and the several state governments are distinct sovereignties, wholly independent of each other; and that the governments of the states cannot be controled by that of the union, in any cases whatever; except in those which are clearly specified, or necessarily implied.

For, the general government being, in its nature, a limited one, it can exercise no powers but such as are expressly granted, or are essentially necessary to some given power, as is shown by the tenth article of the amendments; by which it is expressly declared, that "the powers, not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."

In addition to those axioms, growing out of the peculiar structure of our political institutions, it may be assumed, as a settled principle, applicable alike to all governments, that the expounding and enforcing of the penal laws of a sovereign state, belong exclusively to the courts of such state. This principle has been long well established by the English courts; they hold it to be a settled principle of the law of that country, that they have no power to enforce the revenue laws, or any part of the penal code of a foreign nation. A similar principle seems to prevail among the European nations of the continent; and also to have been held by the several states which formerly composed the seven United Provinces—whose principles of confederation were, in this particular, more analogous to ours than that of any other country whatever.—3. *Dall.* 370, *note.* This principle has, in like manner, been recognized by solemn reported decisions in many of the states, and, it is believed, is acted upon in all, that the courts of no one state will expound and enforce the criminal law of any other state of the union—2. *Johns.* 477, 479—2. *Caines, N. Y Rep.* 213—3. *Binney*, 220—5. *Binney.* 617—1. *Haywood*, 100.

And, indeed, this indisposition or inability of the courts of one state to act in aid of, and as auxiliary of the courts of another, seems to have been extended even to civil cases. For, although the court of chancery of England will, as it is said, compel a discovery in aid of a foreign court, *Coop. ch. pl.* 141, yet, by the case of Gason *vs.* Wordsworth. 2. *Vesey*, 325, 336, it appears, that on a commission, to take testimony, being sent from the court of chancery of England to Sweden, the king of Sweden refused the executing of the commission, requiring it to be by some magistrate there, according to the laws of Sweden. The lord chancellor seemed surprised at this refusal, between two trading countries, which might be so dangerous to commerce—and on a subsequent day, in the same case, he declared, that he would not send another commision over, under the seal of Great Britain, to be treated in the manner that had been. And in the case of M'Kean *vs.* Bruff, a bill of discovery was filed in the chancery court of Maryland, stating that the defendant had the knowledge of certain facts, to which he might depose, as material, competent and proper evidence for the plaintiff, in a cause depending in Virginia, between him and a certain Kimmel and Albert; and, therefore, prayed, that the defendant might be compelled to submit to have his deposition taken to those facts, to be read in evidence in the suit depending in Virginia To which bill, the defendant, Bruff, demurred. The claim to relief, in the manner prayed, was pressed with great ability and force of argument, by Mr. Brackenridge, the plaintiff's counsel. Notwithstanding which, the chancellor sustained the demurrer, on the ground, that the court had no power to compel a witness to discover or give evidence under such circumstances.

But the second section of the fourth article of the constitution of the United States, which ascertains the mode in which a fugitive from the justice of one state may be apprehended in another, and thence remanded to the state whose criminal code had been violated, is manifestly a virtual recognition of this *general rule*, as to criminal cases. Hence, it would seem, that this *general principle*, that the courts of one state will not expound and enforce the criminal code of another, admits of no exception; and that there are but few instances in which the courts of one nation will or can act as the auxiliaries of another, even in mere civil matters. It follows, therefore, that according to this *general rule*, applicable to the nature of an independent sovereignty, the congress could have no right to clothe any of the state functionaries with any portion of the judicial power of the nation in criminal cases.

Therefore, the judicial power which has, in the present instance, been exercised by Thomas W. Griffith, a justice of the peace of this state, must be derived from some specific provision of the constitution, or from some power necessarily incident to a distinct grant of power to the general government; which, in themselves, form exceptions to this *general rule.* If it cannot be accurately traced to one or the other of these sources, he had no jurisdiction whatever; and every thing that has been done by him, under color of such judicial authority, is absolutely null and void; and, therefore, can give no legal authority to the marshal or any other officer to arrest or detain the person now before us for a single instant.

By the first section of the third article of the constitution of the United States it is declared, that "the judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the congress may, from time to time, ordain and establish." By this article congress have power to ordain and establish inferior courts; and, by the eighth section of the first article, "the congress shall have power to constitute tribunals inferior to the supreme court." These are their powers in this respect, and nothing more. The congress have no right to prescribe where the judicial power shall, or shall not vest; they cannot say, that it shall not vest in the supreme court, the inferior courts and constituted tribunals of the United States.—They may distribute and regulate judicial authority among the several courts and tribunals of the nation, as declared by the constitution; but they cannot invest such power, in any manner whatever, differently from that which is so explicitly prescribed by the constitution itself.

But can it be said, that the conferring judicial authority on a state officer is ordaining and establishing an inferior court within the meaning of this article? To ordain and establish a court or to constitute a tribunal is, manifestly, to create an office; and to authorise the appointing of an officer to fill such office. But it certainly will not be contended, that congress can, by a mere legislative act, create the office and officer together—ordain and establish the court and the judge at once, and thus deprive the executive branch of its right of appointment; and so destroy that most valuable among the checks contained in the constitution, which provides that the *law*, and the *executors* of the law, shall emanate from different sources, so as to countervail the irregularities of each other.

If, however, this claim of congres, to invest the officers of this state with the judicial power of the United States, were conceded, it would lead to the most extraordinary perversion of the theory of our government; entirely prostrate some of its most valuable principles; and overturn, or throw into confusion, the whole judicial system of every state of the union.

The chief objects in establishing the government

of the United States, certainly, were to regulate, expound and maintain the aggregate rights of the union, in relation to foreign nations; to regulate and pacify the conflicting claims of the several states among themselves; and so to bind the states together, by the strong bands of mutual convenience and reciprocal interests. Hence, it must have been the intention of the framers of the government of the union, that it should be provided with powers fully commensurate to these great objects; and also, that those powers should be so distributed among its own agents, as to enable it to act from itself—by its own motion; and not through the instrumentality of any other independent sovereignty. A distinction has been taken between cases which obviously require to be placed under the control and guardianship of the national sovereignty, and those which policy may dictate the propriety of being so placed, only provisionally, or in the last resort. If the question now before us was, whether the state courts had concurrent jurisdiction with those of the union? it might be necessary to examine this distinction fully and carefully; but the question now under consideration is, whether the United States can use the agency of any other power, than its own, in the discharge of the duties assigned to it?

If the United States can use the judicial officers of the several states, as agents to arrest and bring offenders to justice, they certainly can, in like manner, use the courts of justice of the several states as agents to hear, try and condemn for any criminal violations whatever of their laws. There is nothing in the constitution, or the law, which makes the least distinction between the one and the other. To judge of the grounds of an accusation, on which a warrant to arrest may or may not be issued, is as much a judicial act as the process of trial and condemnation—3. *Dall.* 42. Therefore, if the United States can confer, upon the judicial officers of the states, the incipient and ancillary power to apprehend, they may, with equal propriety, invest the courts with the plenary power of trial and condemnation. And if the United States can make use of the judicial officers of the several states as their agents, and can compel them to act as such, for the purpose of arresting, trying and condemning, in their *name and behalf*, offenders against their laws, in one kind of cases, they can do so in all; for, in this respect, neither the law, nor the constitution, makes the least shadow of distinction. Consequently, the congress might distribute the judicial power of the United States, specified in the constitution, among the several state courts in such manner as they might think proper; and rely altogether upon the state tribunals for the administration of justice under their criminal code. And thus restore the theory, principles and practice of the old articles of confederation; the evils of which, in this respect particularly, among many others, this constitution was intended to remove.

It will not affect the force of the argument, in this respect, in the least, to assert or to admit, that the administration of justice in criminal cases, under the laws of the United States, can, with more safety, be confided to the state tribunals than to those of the United States; on the reverse; it is sufficient that it be admitted, the two modes of administering justice are materially and essential different; that the constitution looks to, and has actually provided for one supreme court; has authorised congress to constitute tribunals inferior to the supreme court; that congress may ordain and establish a judicial system for the United States; and that to use the judicial system, so by congress ordained and established, for the purposes of administering justice in criminal cases, is, in theory, principle and practice, *variant* from the use of the judicial system of the states, for the same purpose. If this be admitted, and I do not see how it can be denied by any one, it follows, irresistibly, that an attempt, such as is made in the present instance, to expound and enforce the penal laws of the United States, *in their name and behalf*, through the instrumentality of a judicial officer of this state, is a most extraordinary perversion of the true theory of the constitution of the United States, and is, therefore illegal and void.

The general government is so framed as to be able to act from, and by itself; it is a complete and independent sovereignty in all its operations. But in the only instance in which it is authorised to call on the governments of the several states, as such, for support, its right to do so is clearly and specifically expressed By the 8th section of the first article, "the congress shall have the power to provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States; reserving to the states respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by congress." And by the 2d section of the second article it is declared, "that the president shall be commander in chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States."

When the militia are so called for, and in pursuance of such call, ordered into the service of the national government; the authority of the state over them, that instant ceases, and that of the union commences. Therefore, the militia do not act as allies or auxiliaries, but as the troops of the nation, subject to its laws only; as forces placed under its command, government and control exclusively. From being the militia and the officers of the state, they are immediately converted, by such United States' *call*, and state *order*, into the militia and officers of the nation. The state whence they have been so taken, so absolutely ceases to have any control over them, that it cannot organize a court martial from among them, or in any manner invest a court with power to take cognizance of any offence which a militia man or officer may commit, as such, while in the actual service of the United States. This right to call a militia state officer into the service of the United States, does so effectually convert him, while engaged in such service, into an officer of the nation, that he is not bound to two superiors; for, his allegiance to the one is thrown off, or suspended during his being placed under the command, and an obligation to obey another sovereignty—Meade's case, 9 Niles' W. R. 194—Houston vs Dicks, al. at Lancaster, Penn. 10 Feb. 1817, per J. Franklin.

But, in the case now before us, the official duty of this justice to the state, is supposed to continue, and an attempt is made, to compel him to act as auxilliary to a United States' officer, of a similar character and superior grade. To compel this justice to receive, in his official character, an investment of judicial authority from the United States, to be used in aid of, and as an auxilliary of their power. In the one case, the state militia officer is called for, and *converted* into an officer of the United States; in the other, the justice is attempted to be used, or called on as *an aid*, or *auxiliary*. But,

the right to call for a state militia officer, for the purpose of converting him into a national officer, is distinct and specific; on the other hand, there is no express right given to use an officer of a state, as an auxiliary; and yet the one is no less important in its nature and consequences, than the other. The inference, therefore, is irresistible, that a state judicial officer can, in no instance, be called on to act as *an auxiliary* to the powers of the United States.

Among the various principles, arising out of our peculiar and inestimable form of government, there is perhaps, no one more obvious or more valuable than the principle of *responsibility*: whatever tends to enfeeble this great principle should be regarded with the most wakeful jealousy; but, whatever destroys it, we should all unite in expelling, as the implacable enemy of all our political institutions. All the officers of the United States employed in defending their rights; or in carrying into execution their laws, are appointed by them; compensated by them; removable by them; responsible directly or indirectly to them, and punishable by them for their official misconduct. With regard to all public functionaries so employed, it may be correctly said, that the United States can create or can destroy; can reward or punish.

But if the United States are allowed to use the officers of any other independent sovereignty than their own, for the purpose of maintaining their rights, or of executing their laws, this principle of *responsibility* is certainly very much impaired, if not totally destroyed. It is not pretended, that a state judge can be impeached for official misbehavior of any kind when acting in the *name* and *behalf* of the United States. Nor can any state officer be removed from his office by any superior authority of the United States. Even then, if it should be admitted that such officer may be restrained from misconduct by an action at law, in which he may be treated as a wrong doer; yet he is absolutely irresponsible to that superior power under whose *authority* and in whose *name* he acts. And it is equally obvious, that for similar reasons, he cannot be made to respond to the superior powers of the state under which he has been commissioned; because it is clear that he can only be made to answer to the state superiors for the faithful discharge of the trust which they have committed to his keeping; and not for the performance of those duties which any other sovereignty has assigned to him. It is evident, therefore, that this great and valuable principle of the constitution of the union, *judicial responsibility*, would be completely prostrated by allowing of this mode of conferring judicial powers on state officers; and consequently it must, for this reason also, be deemed altogether invalid.

The first section of the 3d article of the constitution of the United States declares, that "the judges, both of the supreme and inferior courts, shall hold their offices during good behavior; and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office." Whether this be the best tenure of judicial office or not, is, as regards the present enquiry, of no importance. It is enough that this be admitted to be the general constitutional tenure by which all the judges of the United States shall hold their offices. But if the judicial power of the union can be committed to the judicial functionaries of the states, then those who act as judges of the union would hold their offices by all the variety of judicial tenures; during good behavior, removable by conviction in a court of law, by address, or by impeachment; some would hold for seven years; some until seventy years of age; some by annual appointment, and some during pleasure, as the constitutions of the several states will shew. That uniformity of the tenure of judicial office, manifestly contemplated by the constitution of the United States, might in this way be perverted in the most extraordinary manner

But, in addition to the perversions of the theory of the constitution of the United States; the danger of committing judicial power into the hands of those who were no way officially responsible; and the injustice of exacting service without compensation; especially where, as in this state, the officer is prohibited from receiving any but what is allowed him by the law of the state, such an investment of judicial power might have the most serious effect upon the judicial system of every state of the union; and perhaps in none would be more likely to produce difficulty and confusion than in that of Maryland.

For, if the state tribunals can be invested with the jurisdiction properly belonging to those of the nation, and the various powers and duties of both brought together and invested in the same officer; then, it is obvious, that there are numerous instances where it would be extremely difficult to determine in what manner it might be most correct to proceed. Because, in many cases the tribunal might have a choice to act in the name of the state or of the United States; in which it would be very questionable, and yet, *of critical importance*, to decide whether it would be best to consider the case as a subject most proper to be brought, under the cognizance of the *municipal law* of the state; or to treat it as a matter of admiralty jurisdiction, involving, in some degree, *the law of nations*. In all cases where it is admitted that the courts of the United States and the several states have concurrent jurisdiction, it would be a matter of some difficulty and *delicacy*, where the two jurisdictions were so united in the same person, to say which of the two characters the *forum* should assume for the purpose of hearing and deciding on the case. And it is manifest, that where such separate jurisdictions were conferred on the same officer by those two distinct sovereignties, each of which must be obeyed; and a different place and forms were prescribed for performing the duties required by each, it would be impossible, thus to double business bound, not to neglect one or both of them; or what would be most likely, under such invidious circumstances, that the officer should leave undischarged his duties to the state. It is, therefore, clear, that if this claim of congress to confer judicial power on the state officers were to be allowed, the whole judicial system of the several states might be overturned or thrown into utter confusion.

But experience will suggest considerations of policy, in many respects peculiar to Maryland, which ought to have much weight in the determination of a question of the nature of this now before the court. When we cast an eye over the local situation of this state, and observe how completely its dominion is divided by the Chesapeake, a great arm of the sea; the independent territory of the union carved out on one side; the smallest of the states sharing with us a narrow front upon the Atlantic; and that we are surrounded in every other direction by two of the most potent republics of the confederation—we cannot but perceive, as late experience has caused us seriously to feel, that Maryland, so far from assuming a haughty independency in all respects whatever; and from endeavoring to have her tribunals invested with the judicial attributes of

the union, stands in especial need of the presence and the aid of the judicial arm and of the power of the nation; in order to regulate the rival interests, and to pacify the jealousies of our territorial brethren; our feeble sister; and the powerful neighbors by whom we are surrounded and overlooked; as well as to prevent the imputation from being cast upon us, either of neglecting to vindicate some national rights, or of exciting a conflict relative to questions of a commercial or maritime concern, with the various foreign nations who pass along our coasts or enter our numerous harbors. With an open front, inviting the intercourse, and exposed to the incursions of all the foreign nations of the earth; and with a domain so eminently provided by nature with the facilities of inland intercourse, it is evident that the chief ports of this state must, ere long, become the great depot, and thoroughfare of a very considerable proportion of the commerce of the union, and consequently, that within our territory, questions of the greatest national concern may often arise; *and that this state may, more frequently than any other, become the scene of the national conflicts, and of the clashing rivalship of the states.*—Wisdom and sound policy, therefore, seems strongly to urge upon us the propriety of confining ourselves within the pale of our municipal law; and of limiting our wishes and our power, as a state sovereignty, to the administration of our domestic concerns; leaving all national questions and affairs to be regulated by the wisdom of the national judicature, and protected by the power of the national arm.

Upon the whole, therefore, after carefully reviewing the reasons and principles applicable to this great question, I feel perfectly satisfied that congress have no constitutional right to confer any portion of the judicial power of the United States upon any state officer whatever, in the manner that has been attempted by the act of congress of 24th September, 1789, section 33d; and which has been assumed and acted under by Thomas W Griffith, a justice of the peace of this state, in the case now before us.

And I feel fortified in this opinion, by the assurance that the construction of the constitution which, I believe to be correct, and have endeavored to shew is the only sound one, is precisely that which was put upon it, as well by its friends as by its foes, among the members of that very convention which framed the instrument itself, *Martin's Information to the General Assembly of Maryland, prt. March*, 1788, *pages* 50, 51—*The Federalist, No.* 82; by the arguments in some of the state conventions which ratified it, *Debates Virg. Con.* by the adjudications of some of the most respectable of the state judges before whom this question has been directly brought and decided, *the Commonwealth* vs. *John Feely, Virginia cases* 321—*Jackson* vs. *Rose*, 9 *Niles' W. R.* 173—*U. States* vs. *Alex. Campbell*, 10 *Niles' W. Reg.* 405—*Commonwealth of Pennsylvania* vs. *Nicholas Kosloff, decided by the supreme court of Pennsylvania, March* 1816, 7 *Johns.* 144, 3 *Dall.* 17, 5 *Binney* 512—And also by what was incidentally but very distinctly said by the supreme court of the United States in the case of Martin vs. Hunter's Lessee, 1 *Wheaton* 334. As that portion of the opinion of the supreme court, to which I allude, developes the principles on which the judicial authority of the United States rests, with a direct reference to cases of the nature of that with which the prisoner before us is charged, I will close the argument, on which I shall found my opinion, in the words of that very eminent national tribunal.

"In the first place, (says the supreme court) as to cases arising under the constitution, laws and treaties of the United States. Here the state courts could not ordinarily possess a direct jurisdiction. *The jurisdiction over such cases could not exist in the state courts previous to the adoption of the constitution, and it could not afterwards be directly conferred on them; for the constitution expressly requires the judicial power to be vested in courts ordained and established by the United States.* This class of cases would embrace civil as well as criminal jurisdiction, and affect not only our internal policy, but our foreign relations. It would, therefore, be perilous to restrain it in any manner whatsoever, inasmuch as it might hazard the national safety. The same remarks may be urged as to cases affecting ambassadors, other public ministers and consuls, who are emphatically placed under the guardianship of the law of nations; and as to cases of admiralty and maritime jurisdiction, the admiralty jurisdiction embraces all questions of prize and salvage, *in the correct adjudication of which foreign nations are deeply interested; it embraces also maritime torts, contracts and offences, in which the principles of the law and comity of nations often form an essential inquiry.* All these cases, then, enter into the national policy, affect the national rights and may compromit the national sovereignty. The original or appellate jurisdiction ought not, therefore, to be restrained, but should be commensurate with the mischiefs intended to be remedied, and of course, should extend to all cases whatsoever."

It is therefore, my opinion, that Joseph Almeida, the prisoner now brought before us, has been illegally arrested and detained and that he must now be discharged.

Judge Hanson then delivered his opinion much at large, in which he concurred with judge Bland as to the unconstitutionality of the act of congress; and therefore by order of the court the prisoner, Almeida, was discharged.

Chief judge Dorsey having been engaged as counsel for Almeida, before his appointment, did not sit in the cause.

Cherokee Warriors.

EXTRACT OF A LETTER FROM HIWASIE

With regrad to the *rifles* presented by the president of the United States, as a reward for the extraordinary enterprise of three young *Cherokee warriors*, I must give you a short history.

"The Creeks were fortified on a point of land formed by a bend of the Tallapoosa river, at a place which, from its shape, obtained the name of *Horse-Shoe*. The river was deemed a sufficient security, on account of its depth, and that part of the point adjoining the country was strongly fortified by the Creeks, quite across the isthmus, with large square timber, well put together, and raised high. General Jackson approached the works with such artillery as he had; the Cherokee warriors having been posted on the opposite side of the river to prevent any reinforcements from coming to the Creeks. He then commenced a cannonade on the works, while the Cherokees and Creeks fought across the river with small arms. The general found that his artillery was too light to make any effectual impression on the works—the Cherokee warriors, at the same time, found that their fire across the river promised nothing—they grew impatient—and three young Cherokees plunged into the river, while the battle was raging, and swam towards that point of

the Horse-Shoe where the Creeks had secured their water-craft. As these three brave Cherokees approached the shore, they were fired at by the Creeks, and one was wounded—two reached the shore unhurt; each of these seized a *canoe* and re-crossed the river; the two canoes were then filled with other Cherokees, who crossed over and seized a number of *canoes*, and returned. By these means, in a short time, nearly all the Cherokees landed themselves on the Horse-Shoe, attacked the Creeks there, drove them and burned their cabins. Gen. Jackson, finding that the Creeks were attacked in their rear, *on their own fortified ground*, made an assault on the works by *escalade*, and carried themwith the loss of some valuable officers and men; but, notwithstanding the works were carried, the Creeks fought obstinately till night, when a few escaped. It was estimated that about *seven hundred* Creeks fell in the action. The Cherokee warriors suffered considerably, as well as the American troops. A regular regiment, commanded by col. Williams, lost a number of men in carrying the works. Col. Williams assured me, that, had it not been for the enterprise of the Cherokees in crossing the river, as stated, nearly his whole regiment would have been cut to pieces.

Nat. Int.

African Colonization.

The following is an extract of a letter written by Thomas Jefferson, to J. L———.

MONTICELLO, Jan. 21, 1811.

SIR—You have asked my opinion on the proposition of A. M to take measures for procuring, on the coast of Africa, an establishment to which the people of color of these states might from time to time be colonized, under the auspices of different governments.

Having long ago made up my mind on this subject, I have no hesitation in saying, that I have ever thought that the most desirable measure which could be adopted for gradually drawing off this part of our population; most advantageous for themselves, as well as for us.—Going from a country possessing all the useful arts, they might be the means of transplanting them among the inhabitants of Africa, and would thus carry back to the country of their origin the seeds of civilization, which might render their sojournment here a blessing, in the end, to that country. I received in the last year of my entering into the administration of the general government, a letter from the governor of Virginia, consulting me, at the request of the legislature of the state, on the means of procuring some such asylum, to which these people might be occasionally sent. I proposed to him the establishment at Sierra Leone, in which a private company in England had already colonized a number of negroes, and particularly the fugitives from these states during the revolutionary war—And at the same time suggested, if that could not be obtained, some of the Portuguese possessions in South America as most desirable. The subsequent legislature approving these ideas, I wrote the ensuing year (1802) to Mr. King, our minister in London, to endeavor to negociate with the Sierra Leone company, and induce them to receive such of those people as might be colonized thither. He opened a correspondence with Mr. Wilberforce and Mr. Thornton, secretary of the company, on the subject; and in 1803, I received, through Mr. King, the result.*—The effort which I made with Portugal, to obtain an establishment for them within their colonies, proved also abortive.

You enquire further, whether I would use my endeavor to procure for such an establishment, security against violence from other powers? Certainly—I shall be willing to do any thing I can, to give it effect and safety. But I am but a private individual, and could only use endeavors with individuals; whereas the national government can address themselves at once to those of Europe, to obtain the desired security, and it will unquestionably be ready to exert its influence with those nations to effect an object so benevolent in itself and so important to a great part of its constituents. Indeed, nothing is more to be wished, than that the United States would themselves undertake to make such an establishment on the coast of Africa—exclusive of motives of humanity, the commercial advantages to be derived from it might defray all its expences.

Accept the assurance of my respect and esteem,

THOMAS JEFFERSON.

[*Enquirer.*

*NOTE *by the communicator.*—Which was unfavorable, owing to circumstances which do not exist at the present time.

Remarkable Domestic Manufactures.

FROM THE NEW-YORK GAZETTE.

The pieces of goods prepared by the American Tartars, and presented to Dr. Mitchell by capt Richard Whiley, late of the United States' army, are full of instruction.

They consist wholly of animal materials, and do not contain a single vegetable thread or filament.—They are worked with curious art; and the ability displayed both in the design and in the execution are admirable. They were recieved by that distinguished officer, while he held the military command at Michillimackinack, as an offering of friendship on the part of an aged and venerable chief from the remote regions of the north-west, with an intimation at the time, that they were gifts of extraordinary value.

Their Tartar origin is evinced by the fabrics themselves, and by the scenes they intended to re present.

The principal article, is a tawed or soft dressed skin, probably of the Wapite deer, of about three feet square, or of an extent almost sufficient to cover a common breakfast table. The color is a dark brown. The consistence of the leather pliable and uniform throughout.

One of its sides is embroidered with an interesting scene, wherein the hunters are exhibited as returning to the village after a succesful chase. The embroidery is performed with flexible slips of porcupine quills instead of thread. The stitching is so nicely done that the skin is not punctured through in a single instance, the needle, as in skilful taylo-ring, only passing deep enough in the leather to secure the work. The dyes, especially the blue, yellow and red, surpass every thing that our most able chemists and manufacturers can extract from the vegetables of the forest.

It was probably intended for a mantle or ornamental covering for the shoulders; all gentlemen, however, of a classical taste, are reminded by it of the shield of Achilles as described by Homer.

In the middle are two quadrupeds, apparantly beasts of prey. From their long tails, it may be conjectured they are conguars, and that the hunt, which is celebrated, is that of the American panther. They are encompassed by a ring, as if that circumscribed space was allotted for their confinement if alive, or for their deposit if dead.

At the distance of an inch and more from this

circle, there is a square of ten inches on each side, denoting the common area, or space assigned for general convenience in the centre of the village.

Opposite the four sides of this square, there are four circles of about four inches diameter, and opposite the four angles of the same four more, representing the habitations of the tribe, constructed around the central area; and, after the manner of the Tartars, the houses or wigwams are circular, and not square. Around these huts or dwellings there are figures of human beings; showing that the inhabitants were briskly stiring about. Within them are forms of flowers, birds, and various other objects; illustrating, in all probability, some matters connected with their furniture, dress and cookery.

The whole village is surrounded by a work of two feet square, securing and inclosing it completely.—On the out side of it, by way of border, is represented a grand dance. On two of the sides are embroidered nine men each, making eighteen; and on the opposite two sides five men each, making ten. So that the dance is performed by twenty eight persons, connected hand to hand, and extending round the whole contour of the margin This expression of festivity and joy seems to occupy the part of the male inhabitants, that are capable of partaking the adventures of the forest.

This is picture writing, advancing towards the hieroglyphic. It marks an æra in society of these people, and it designates with singular exactness the progress of the mind in invention, and of the hand in dexterity.

There is nothing perhaps in the celebrated paintings of Mexico, more worthy of philosophical and historical research than this and similar fabrics of the indigines.

The Mexican paintings were executed upon cloth and were symbolical. The assiniboin embroidery is done upon leather, and is imitative. The former is derived from the Austrasians; the latter from the Hyperboreans The more cultivated Malays who people the southern parts of North America, formed the famous records discovered in New Spain.—The ruder Tartars who migrated to the nothern regions of the same continent are the authors of the fabrics, not less curious, but in a totally different stile, now under consideration.

American antiquaries have an extensive and fertile field to cultivate, and it is pleasing to find so many men of talents occupied in the productive labor.

Franklin's Correspondence.

The long expected correspondence of Dr. Franklin has been published in London, and will soon be re-published in the United States. The following letter, which is one of the collection, is copied from a London paper:

To William Strahan, esquire, king's printer, London.

Pessy, August 19, 1784.—*Dear friend,*—You press me much to come to England. I am not without strong inducements to do so; the fund of knowledge you promise to communicate to me, is an addition to them, and no small one. At present it is impracticable. But when my gradson returns, come with him. We will talk the matter over, and perhaps you may take me back with you. I have a bed at your service, and will try to make your residence, while you can stay with us, as agreeable to you, if possible, as I am sure it will be to me.

* * * * * * * *

You "fairly acknowledge, that the late war terminated quite contrary to your expectation." Your expectation was ill founded; for you would not believe your old friend who told you, repeatedly, that by those measures, England would lose her colonies, as Epictetus warned, in vain, his master, that he would break his leg. You believed rather the tales you heard of our poltroonery, and impotence of body and mind. Do you not remember the story you told me, of the Scotch sergeant who met with a party of forty American soldiers, and, though alone, disarmed them all, and brought them in prisoners? a story almost as improbable as that of the Irishman who pretended to have alone taken, and brought in, five of the enemy, by *surrounding* them. And yet, my friend, sensible and judicious as you are, but partaking of the general infatuation, you seemed to believe it. The word *general* puts me in mind of a general, your general Clarke, who had the folly to say, in my hearing, at sir John Pringle's, that, with a thousand British grenadiers, he would undertake to go from one end of America to the other, and geld all the males, partly by force and partly by a little coaxing. It is plain he took us for a species of animals very little superior to brutes. The parliament too believed the stories of another foolish general, I forget his name, that the Yankees never *felt bold.* Yankee was understood to be a sort of Yahoo, and the parliament did not think the petitions of such creatures were fit to be received and read in so wise an assembly. What was the consequence of this monstrous pride and insolence:—You first sent small armies to subdue us, believing them more than sufficient, but soon found yourselves obliged to send greater; these, whenever they ventured to penetrate our country beyond the protection of their ships, were either repulsed and obliged to scamper out, or were surrounded, beaten, and taken prisoners. An American planter, who had never seen Europe, was chosen by us to command our troops, and continued during the whole war. This man sent home to you, one after another, five of your best generals baffled, their heads bare of laurels, disgraced even in the opinion of their employers. Your contempt of our understandings, in comparison with your own, appeared to be not much better founded than that of our courage, if we may judge by this circumstance, that, in whatever court of Europe a Yankey negociator appeared, the wise British minister was routed, put in a passion, picked a quarrel with your friends, and was sent home with a flea in his ear. But after all, my dear friend, do not imagine, that I am vain enough to ascribe our success to any superiority in any of those points. I am too well acquainted with all the springs and levers of our machine, not to see, that our human means were unequal to our undertaking; and that, if it had not been for the justice of our cause, and the consequent interposition of Providence, in which we had faith, we must have been ruined. If I had ever before been an Atheist, I should now have been convinced of the being and government of a Deity!—It is he who abases the proud and favors the humble. May we never forget his goodness to us, and may our future conduct manifest our gratitude!

But let us leave these serious reflections, and converse with our usual pleasantry. I remember your observing once to me, as we sat together in the house of commons, that no two journeymen printers within your knowledge, had met with such success in the world as ourselves. You were then at the head of your profession, and, soon afterwards became a member of parliament. I was an agent for a few provinces, and now act for them all. But we have risen by different modes. I, as a re

publican printer, always liked a form well *plained down*, being averse to those *overbearing* letters that hold their heads so *high* as to hinder their neighbors from appearing. You as a monarchist, chose to work upon *crown* paper, and found it profitable; while I worked upon *pro patria* (often indeed called *fools-cap*) with no less advantage. Both our *heaps hold out* very well, and we seem likely to make a pretty good day's work of it. With regard to public affairs (to continue in the same style), it seems to me, that the compositors in your chapel do not cast *off their copy* well, nor prefectly understand *imposing;* their *forms* too are continually pestered by the *outs* and *doubles*, that are not easy to be corrected. And I think they were wrong in laying asside some *faces*, and particularly certain *head-pieces*, that would have been both useful and ornamental. But, courage! The business may still flourish with good management, and the master become as rich as any of the company.

By the way, the rapid growth and extension of the English language in America, must become greatly advantageous to the booksellers and holders of copy rights in England. A vast audience is assembling there, for English authors, ancient, present and future, our people doubling every twenty years; and this will demand large, and of course, profitable impressions of your most valuable books. I would therefore, if I possessed such rights, entail them, if such a thing be practicable, upon my posterity; for the worth will be continually augmenting. This may look a little like advice, and yet I have drank no *Madeira* these six months.

Foreign Articles.

ENGLAND, &c.

"*King* and *constitution*," and "*no popery*," will be come the cry through England. The people, one would think, have been fooled long enough by such stratagems.

One of the accounts of the assault upon the regent says that the people were even for killing the horses—crying "down with them," and striking them several times!—A person of the name of Scott was taken up as having been engaged in the assault; he denied the accusation, saying "he supposed some body must be taken up to get the reward, and that he was selected for the purpose." He was committed for further examination.

The British house of commons was considerably employed on the 3rd of Feb. with the case of a poor boy, 17 years old, named *Thomas Dogood*.—The following brief abstract of it may suffice:

The boy made his living by hawking through the streets religious and moral tracts for sale (as stated in his petition) by which he obtained a livelihood. On the 10th of January he pulled down a posting bill, *printed by the printer to the police*, entitled "Mr. Hunt hissed out of the city of Bristol." For this offence he was immediately seized by the police, and thrown into a dungeon, where he was compelled to lie on the bare boards, from the 10th to the 22nd of *January*, fed only with bread and water.—He was then, with about 50 others, "tied to a long rope, or cable, and marched to Hick's hall and there let loose."

His petition to parliament for redress, was offered by lord Folkestone; who, with Mr. Addington, Mr. Bennet, the attorney general, lord Castlereagh, lord A. Hamilton and sir F. Burdett spoke on it.—It was finally laid upon the table, with an understanding that the "home department" would institute an investigation of the case.

It appears that the bill which the boy pulled down had been printed at the expence of the *police* and was watched by *police* officers. *Dogood* was seized under the broad plea of being a vagrant, and being *punished* as stated above by confinement and privation in a place declared by one of the members "to be utterly disgraceful to the country"—a place so wretched that no man would keep a pack of hounds in it, was dismissed—no one appearing against him.

Mr. Curwen stated, in the house of commons, that one half of the laborers in agriculture, estimated at 2,500,000, and one half of those in manufactures, 3,000,000, were without employment.

Some of the petitions for reform have been rejected on account of the "violence of their language."

Lord Cochrane, on presenting a petition for reform from the people of Hampshire, stated that the meeting had consisted of 50,000 persons, and would probably have amounted to 100,000 but for the obstacles thrown in the way by the agents of the government. He informed the house of commons, that in preparation for this meeting the yeomanry cavalry for four miles round had been called out, and that ball cartridges were distributed to them and to the regular garrison of Portsmouth—both which were under arms all the time of the meeting to overawe it, &c.

The marquis of Camden has renounced the sinecures of his office, retaining only a regulated salary of £2700—$11,988 per annum. A great merit in made of this.

Spanish patriots—From certain remarks, made in the house of commons, it is understood that the British government had much exerted itself for the relief of the Spanish patriots groaning under the tyranny of *Ferdinand;* but without the least success.

Revenue.—There cannot be a more convincing proof (says a late London paper) of the great decline of the commerce of the country than the extraordinary diminution of the revenue of the post-office, the receipts of the last year being less than those of the preceding by the sum of 122,000*l.* which is upwards of 2340*l.* per week.

In the old peace tax upon tea, (an article of such general consumption with the lower classes) there is a decrease of 324,634*l.* making a total decrease of more than 650,000*l.* on that article alone.

House of commons, Feb. 7.—Mr. Calvert said, he rose to move for leave to present a petition from the lord mayor and livery of London. It stated the severe distress of the manufacturing and trading interests, and which it did not ascribe to the transition from war to peace, but to the enormous amount of the national debt, the profusion of sinecure places and pensions, and an immense military establishment. They allude to the corrupt state of the representation, and pray for a reform according to the constitution, as it at present exists. He trusted this petition would be received and read.—

After some observations from others,

Mr. Calvert maintained, that he had never bound himself to support any petition, right or wrong, but one reason why he would support this was, that he had himself been one of six persons who sent two members to parliament, each of them paid £4,500 for their seat; and this independent of the ringing the bell and paying £10, alluded to by the noble lord on a former occasion, was a state of things not to be endured.—(Loud cries of hear, hear.)

The following is the address of the merchants,

bankers and traders of London to the prince regent on his lucky escape—

"We, the undersigned merchants, bankers, traders, and inhabitants of London, deem it to be incumbent on us to come forward with a declaration of our sentiments on the present crisis of public affairs. We are far from being insensible to the evils which at present affect every class of the community, more especially the lower orders; we are anxiously desirous that every practicable means may be used for alleviating their distresses; and we entertain a sanguine hope, that the embarrassments with which we have to struggle will, by the exercise of a wise and enlightened policy, be overcome; and that the agriculture, manufactures, and commerce of the country, will at no distant period revive and flourish. We are satisfied at the same time that nothing can tend more to retard the accomplishment of our wishes and hopes, than the endeavors which have recently been exerted with too much success, by designing and evil-minded men, to persuade the people that a remedy is to be found in measures which, under specious pretences, would effect the overthrow of the constitution. To these endeavors may be traced the criminal excesses which have lately disgraced the Metropolis and other parts of the empire: and the still more desperate and atrocious outrage which has recently been committed against the sacred person of the prince regent, on his return from opening parliament, in the exercise of the functions of our revered monarch. We cannot adequately express our abhorrence of the enormities, which, if not repressed, must lead to scenes of anarchy and bloodshed, too appalling to contemplate; and we feel it to be a solemn and imperious duty we owe to our country, to pledge ourselves individually and collectively, to support the just exercise of the authority of government, to maintain the constitution as by law established, and to resist every attempt, whether of craft or of violence, that may be directed against our civil liberty and our social peace."

London, Feb. 4.—The expected message from the prince regent was yesterday brought down to both houses of parliament. As it calls their attention to papers containing information; an appointment of committees will probably take place in order to examine them and to make reports; after which, bills will be moved for upon these reports. In both houses the message will be discussed to-night. As to the ultimate measure to be adopted for the preservation of public tranquility, the general belief is that a suspension of the habeas corpus act will not be resorted to, but only some enactments, which will limit greatly the number of individuals who shall be entitled to assemble, publicly or privately, without previously obtaining the consent of the vicinity. The privileges of corporate and chartered bodies, are to be held sacred; but no irregular meetings, like those at which Mr. Hunt exhibits, will be permitted on any pretext.

The message is accompanied by copies of certain examinations taken before the privy council, from which we regret to hear that, in Lancashire in particular, there exists most dangerous societies, of a secret, and therefore illegal description; having for their object, the disturbance of the public tranquility, and the bringing into contempt all the constituted authorities.

FRANCE.

It appears that *Talleyrand* is not yet suffered to appear at the French court.

A friend has put into our hands a Paris paper, Jan. 26, a full sheet supplement of which is filled with the report of count Buenot of the house of deputies, on the ways and means of defraying the expences of 1817. After a view of the financial operations of past years, he proceeds to state the estimate of expences for the year, which he makes 16 millions less than the ministerial estimates, as follows

Ordinary expences	468,000,000, francs,
Extraordinary do.	431,000,000,
Expences of pub. debt	157,000,000,
Making a total of	1,056,000,000, francs,

which is about equal to 198,000,000 of dollars Of this sum it is proposed to raise 759,000,000 by taxes and imports of different funds, and the deficiency of 298,000,000 by a loan, from a company through which it was expected that the aid of foreign capitalists might be obtained. To enable the government to effect this loan, it was proposed to appropriate, from certain revenues, the annual sum of 30,000,000.—*Bost. Daily Adv.*

SPAIN.

A small insurrection lately took place in Valencia, Spain. Gen. Elio dispersed some and took others of the rioters. Several of the latter have been executed.

NORTHERN EUROPE.

The duke of Montfort (Jerome Bonaparte) appears quite at his ease. He has a fine estate in Upper Austria, which he has late purchased.

A treaty of commere had been concluded between the courts of Vienna and Brazil. The Austrian government were fitting out the first merchant vessel for a voyage from Trieste to Rio Janiero.

Vaccine Disease.

FROM THE DELAWARE WATCHMAN.

Mr. Wilson—If you should deem the following relation of facts, upon a subject of no little importance to society, likely to prove useful to the public, you are at liberty to insert it in you paper

S. H. BLACK.

Upon the 27th day of February last, I visited by request, the family of Risdon Anderson, a black man, residing near the head of Back-Creek, in Cœcil county, in the state of Maryland. I found his eldest son Adam, aged about 21 years, and of a robust habit, laboring under the small-pox, of the distinct kind.—Anderson is poor, and has nine children in his family—eight of them appeared at that time to be free from disease—none of these had however been secured, by innoculation, from an attack of the small-pox; and an aged mother alone could have remained as their nurse, in the event of the disease extending by contagion, through the family. The propriety of vaccinating these children suggested itself, as being most likely, at once to serve the cause of humanity, and t, test by a fair experiment the relative power of these two diseases in the human system. Having some genuine vaccine virus, I innoculated with it George, aged 18 years; Sarah, aged 16 years; Alexander, aged 10 years; James, aged 7 years; Priscilla, aged 5 years; Pearcy, aged 4 years; Elizabeth, aged 2 years; and Solomon, aged 1 year. Four days after the usual characteristics of the cowpock appeared in all the cases. Upon the fifth day, however, George and James were attacked with chills and fever, which was soon succeeded by pustules of the small-pox, with which they were nearly covered from head to foot; these two very narrowly

escaped with their lives; the disease retaining a *distinct* character, perhaps alone saved them.

Upon the seventh day, reckoning from the period of vaccination, Sarah was attacked with symptoms of small-pox, and upon the following day there appeared about one hundred pustules, of the voriolus kind, upon different parts of her body, and extremities.—She did not suffer materially from the disease. Upon the eighth day one small pustule appeared upon the supper lip of Alexander, which never filled with any sort of matter; and upon the same day one pustule of a similar nature was observed upon the arm, and one upon the right leg, of Pearcy; but in both these cases, the symptoms of previous and subsequent indisposition was so very inconsiderable, as to leave it doubtful whether this slight eruption resulted from the vaccine, or from the variolus disease. The appearance only of the pustules induces me to believe, that they were probably the effect of the last expiring effects of the small-pox. Priscilla, Elizabeth, and Solomon, the last a remarbable gross child, escaped free from every appearance of disease, except the usual symptoms of a mild cowpock.

It may be necessary to remark, that these children all occupied the same room, and had but one common fire side: No attempt was made at any time to separate one part of the family from the other: their house, and their poverty, would in fact have rendered any such measure impracticable: nor was any preparatory regimen or medicine directed or used.

The foregoing experiments seem clearly to warrant the following conclusions:

1st. The cowpock, when genuine, will, under all ircumstances, most certainly prevent the small-pox. This unfortunately is by many still doubted.

2dly. The vaccine virus introduced into the system five days after the variolus virus has been received, produces no good effect.

3dly. A successful innoculation for the cowpock, made three days after the system has been charged with the infection of the small-pox, will either totally destroy, or render perfectly harmless, that otherwise formidable disease—and hence the importance of vaccinating patients even several days after exposure to the contagion of the small-pox.

Lastly—It appears that the peculiar change which is produced in the human system, and by which a subsequent attack of the small-pox is prevented, is not effected by the cow-pock sooner than the eighth, or perhaps the ninth day after innoculation.

I cannot close these hasty remarks without expressing my sincere regret, that any circumstance should happen, tending to discredit the utility, and the importance of the kine-pock—and preventing it from being universally received.

Perhaps an entire union of sentiment upon any subject, is not to be expected amongst mankind; yet upon this I am sorry to believe good cause has been given for a diversity of opinions.

The process of innoculating with the cowpock virus has been thought so very simple, and the true characteristics of the disease so obvious and plain, as to put it fully within the reach of every man and every woman: hence every needle has become a lancet, and almost every house found to contain a male or a female innoculator. These are likely to prove most fatal errors.—'Tis well known in the medical world, that to distinguish correctly between a genuine and a spurious cow-pock, is very far indeed from being an easy task. The disease seems to be one *sui generis*. It has been known for more than twenty years; and, during the whole of that time, physicians in every part of the world have been laboring with indefatigable industry to discover its nature, its laws and its powers, and by reasons and experiments to bring it, if possible, clearly within the scope of their knowledge:—yet there are thousands who no sooner hear the name of the disease, than, as if by intuition, they become at once acquainted with all its mysteries.

It is well known that a thousand sores may be given to as many patients, by the introduction of matter taken even from the pustule of a cow-pock, beneath the cuticle, and yet their may not be one single case amongst them of the genuine vaccine disease; nor may one of the subjects of such experiments be secured from an attack of the small-pox—Instances occur, almost daily, of the small-pox being taken by persons said to have been previously innoculated for, and to have had the cow-pock. Such accidents are not only injurious to the individuals who are the subjects of them; but also extensively detrimental to society at large; as many are in consequence discouraged from receiving the important benefits resulting from this mode of innoculation.

The superior mildness and safety of the vaccine disease, when compared with the variolus, even in its best possible form, seems to be indisputable. The only remaining question with the public is—will the former *certainly* prevent the latter?—If the above statements and experiments, which have strict truth at least to recommend them, answer this query to the satisfaction of any, I am satifised.

A Board of Agriculture proposed.

FROM THE ALBANY ARGUS.

The following plan of a *National Board of Agriculture*, accompanied the petition of the Berkshire Agricultural Society to congress; and as a select committee have reported a bill founded on these suggestions, we submit the plan to the perusal of our readers:

First—A national board of agriculture to be organized, to consist of the members of congress for the time being—honorary members to consist of all former members of congress, and all such other persons as may, from time to time, be elected: the latter may deliberate but not vote.

Second—The vice president of the United States to be president of the society: the other officers of the society to be annually elected.

Third—To give vigor and effect to the measures of the society, an appropriation of several valuable tracts of land in the national territories, and in eligible situations; to constitute a permanent fund for the promotion of agriculture within the United States; as also an annual appropriation of twenty thousand dollars, for the like purpose, to cease as soon as the revenue arrising from said land shall produce that sum.

Fourth—Agricultural societies in any state, not possessing established funds, but which shall in any year evince to the national board of agriculture to have produced the preceding year the greatest quantum of public good in relation to any other society in the same state, in promoting improvements in agriculture, of practical utility, shall receive from the national fund a sum equal to that which the said society shall have expended in premiums in said year, not exceeding the sum of $—, unless the aggregate fund shall be increased.

Fifth—Said state societies to be compelled to apply the whole of the monies they shall thus receive, ex-

clusively to premiums on articles of agriculture, to be awarded and paid at stated annual exhibitions, in a manner to be prescribed by the societies respectively, and approved by the board of agriculture.

Sixth—Not more than one society in any one state can receive aid from the said fund in the same year: other societies in the same state can by their efforts, enter into an annual competition, so as to produce a spirit of emulation, as well among societies as individuals.

Seventh—Should there be no organized agricultural societies in any state, the board of agriculture can organize one or more, with power to annul the same should their efforts not comport with the views of their institution.

Eighth—The board of agriculture to meet in Washington, statedly the first Tuesday evening in each month, during the sitting of congress, commencing the second week after the meeting of congress.

Ninth—To give effect and permanency to the measures of the society, and to mantain a foreign and domestic correspondence, there shall be an executive committee of three persons (being members) annually elected—the first named to be chairman, who shall have a secretary, to devote himself exclusively, under the direction of said chairman, to all the duties which shall be assigned to said committee by the board of agriculture. The chairman of said committee shall receive for his services, $2000, and each of the two members $1000, and the secretary $1500 per annum. It shall be the duty of said committee to open an office at Washington, to be denominated, *Office of the National Board of Agriculture*—Said office to be the place of meeting of the board of agriculture and the executive committee; also a place of deposit for all books on agriculture, seeds, plants, models, and machines of agriculture.

Tenth—It shall be made the duty of all foreign agents, and encouragement be given to all intelligent sea captains, to collect and transmit to the executive committee such information and articles of agriculture as they may deem useful to the general interests of the United States

Eleventh—The several state societies who shall receive aid from the national board of agriculture, to report to the chairman of the executive committee yearly, the existing state and progressive improvements in agriculture in said state respectively; also, their proceedings—premiums paid—to whom—on what objects, and amount; also the effect produced; and to suggest such further measures as experience shall indicate.

Twelfth—It shall be the duty of the board of agriculture to correspond, through the secretary of state's office, with all American ambassadors and consuls in every part of the globe, in relation to the objects of the national society—also, with all the state agricultural societies. All letters going to and from the office of the said executive committee, to be free of postage. It shall also be their duty annually to prepare a digest of all reports from the state societies—communications from abroad, and all other information they may deem useful; also, a statement of all receipts and expenditures, to be annually liquidated at the office of the comptroller of the United States.

REMARKS OF A CORRESPONDENT.

It will be obvious to every person, that the national society, thus organized, will be instrumental in producing incalculable results in a few years.—The society will have little to do otherwise than a monthly interesting meeting, to regulate and keep in motion the machinery; thus, constituting a new and highly interesting department, attended with a trifling expence, comparable to the great national objects to be attained; and eventually, when the land appropriated to produce a permament fund shall effect that object, the expence will be unknown and unfelt by the nation, although this fund will probably increase for many years; and in its effects, in less than half a century, it will be productive of a new era in our agricultural pursuits. It will also tend as a cement to the union, by assimilating our agricultural habits, by uniform excitements and competitions; thus rousing and bringing into activity a laudable and useful spirit of emulation in every section of this great republic.

Legislature of New-York.

Answer of the house of assembly to the communication of his excellency Daniel D. Tompkins, resigning the office of governor of this state, reported by Mr. Irving, and unanimously adopted.

With feelings of sincere regret we have received your excellency's communication, announcing your resignation of the chief magistracy of this state. The period during which you have administered its government, has been marked by events of a highly interesting nature. Advanced to this responsible station, at a time when prosperity and peace prevailed within our limits, your administration promised an opportunity of cultivating those arts and improvments which are alike the convenience, the ornament and the pride of a nation.

Removed from the European continent, it was hoped that our distance, and the pacific habits we indulged and manifested, would preserve us from those violent agitations which have convulsed the old world—exhausting its wealth, and desolating its inhabitants. You had scarcely, however, assumed the reins of governments, when the injustice of foreign powers, so affected our national rights, as to produce a course of commercial suffering and restriction which eventually terminated in war. It has therefore been your lot to preside over this state during a period of great difficulty and embarrassment, when with a diminished revenue and impoverished resources, it was called on to sustain all the hardships and privations of war. Your patriotic devotion to the best interest of your country during this arduous contest—the zeal you manifested—the spirit you infused—and the energies which you roused into action—while they commanded the applause of our sister states, will ever endear you to those who were the immediate witnesses of your attachment, your ardor and your enterprize.—Through your instrumentality, the extremes of the state, which were equally threatened with assailment, were placed in a situation capable of repelling the approaches of an invader. Those borders which, during our revolutionary struggle, were the seat of merciless warfare, and which were again exposed to similar devastations, were rendered, through your early solicitude, not only able to sustain the pressure of an enemy, but to retaliate upon him the ravages he might venture to perpetrate. From points of weakness, they were converted into places of strength, and became the seats of splendid heroism and exalted achievment.

Whether employed in the establishment of useful institutions, in fostering the liberal views of science, or providing the resources of war, we behold you the faithful guardian of the best interests of the state. After a period, therefore, of ten years engaged actively in its service, in your present separation from

its immediate concerns, you bear with you the warm attachment and the best wishes of its inhabitants.—In their behalf we reciprocate the sentiments of regard which your excellency has so feelingly expressed; and while promoted to a sphere of more extensive usefulness, may you by an equal devotion to the general weal, secure to yourself the best recompence of public services—the approbation of your own heart, and the lasting affection of our country.

A public dinner was given at New York on the 31st ult. to Mr. *Tompkins*, late commander in chief of the militia of that state, by the officers of gen. Morton's division of artillery, and of generals Mapes and Ward's divisions of infantry. There is a warmth of affection manifested for this gentleman, by all classes of the people over whose government, civil and military, he lately presided, that must be very grateful to his heart—constituting the best reward for his efforts to serve his country.

This dinner appears to have been prepared with uncommon splendor, and was honored with the presence of many distinguished guests, among them were maj. gen. Brown, and colonels Hindman, Wool, Gardner, and Croghan, of the United States' army—the mayor of New York, maj. generals Van Rensellaer, Stevens, and Steddiford of the N. Y. militia. Mr. Tompkins being called upon for a toast, after a short but handsome address, gave—

The officers of the militia of the city of New-York—distinguished, in peace, as unassuming and accomplished citizens; in war, as the willing and gallant defenders of our great metropolis.

Upon his retiring, the president gave—

His excellency Daniel D. Tompkins, late commander in chief of the militia of this state; while the zealous and faithful discharge of his duties during a long administration, claimed the public respect, his uniform and undeviating attention to the advancement and respectability of the militia of this state; and the kindness and urbanity with which his duties were on all occasions performed have secured to him our sincere and lasting esteem.

General Brown then gave—

The men of every corps who evinced a spirit to sustain the rights and honor of their country.

After the general retired, the president gave—

Major general Brown—He drew from the sources of his own intelligent mind the *science* of the soldier; his daring and intrepid spirit gloriously developed that *science* in the field.

CHRONICLE.

The *Georgetown Messenger* of the 16th inst. intimates that the president is about to make a tour of the United States.

Naval.—The U. S. schooner Hornet, lieut. Claxton, arrived at Charleston on the 6th instant, in 45 days from Gibraltar, with despatches from com. Chauncey. Left at that port the ship Washington sloop Peacock, brig Spark and store ship Alert.—The rest of our squadron was at port Mahon. Nothing important is mentioned as having occurred in the Mediterranean.

Connecticut election.—The "toleration ticket," so called, has succeeded in this state. Mr. *Wolcott* has has been elected governor by a majority of about 800 votes—his opponent was Mr. *Smith*, the then governor. The election appears to have been very warmly contested. In the assembly, there is "a republican majority of at least 5." In the famous town of Hartford, out of 880 votes the federal candidate for the legislature had a majority of 32.

Massachusetts election.—Mr. *Brooks* has been re-elected governor of Massachusetts—his opponent was general *Dearborn*. The returns are not yet fully received.

Arrow Root has been planted on the Islands of Georgia with success. It is said that *Cochineal* is found on there islands, subsisting on the prickly pear.

"EMIGRANTS' DIRECTORY."—Mr. Henry C. Southwick, of Auburn, N. Y. proposes to publish a new work to be entitled "*The Western Gazetteer: or Emigrant's Directory.—Containing interesting geographical descriptions of the western country*—viz. the states of Kentucky, Indiana, Louisiana, Ohio and Tennessee, and the Illinois, Missouri, Mississippi, Michigan and North-Western territories, together with some of the western counties of New-York, Pennsylvania and Virginia," &c.—By *S. R. Brown*. The work will make an octavo volume of between 3 and 400 pages; price, in boards, $2 50.

The author, Mr. Brown, we are assured, is very competent to the work he has undertaken—as an intelligent correspondent, he has been known to the editor of the Register for several years—and he has seen much of what he is about to favor us with a description of.

Commerce of Georgia.—The "Savannah Republican" of the 27th ult. contains a very interesting exposition of the commerce of that city. It appears from this statement that the value of the *native products* and manufactures of Georgia, shipped from thence in one year, ending with September, 1816, coastwise and to foreign ports, amounted to the enormous sum of $10,322,880! Thus—

By the report of the secretary of the treasury in February last, the exports of Georgia for that year were put down at	$7,511,939
And there was shipped coastwise, in 31 ships, 98 brigs, 49 schooners and 44 sloops, cotton, rice, tobacco, &c. to the value of	2,981,481
Deduct foreign articles exported	170,540
Value of native products	10,322,880

Commerce of South-Carolina.—The editor of the (Charleston) *Patriot*, noticing the preceding statement, gives an opinion, which is a reasonable one, that the coastwise exports of South-Carolina may be estimated at $3,700,000—giving a total value of exports from that state of *fourteen millions and a half*, for one year. After mentioning that a considerable quantity of the products of South-Carolina pass down the *Savannah* river, from the town of Augusta, he observes—"Put these facts together, and we think we may be allowed to say, without fear of contradiction, that South-Carolina is the greatest exporting state in the union."

Yet the cry *has been*—that the southern states were anti-commercial!

Health of Savannah.—The mayor and aldermen of Savannah, in common council assembled, have appropriated $70,000 for the purpose of bringing about a change of the culture of the low lands adjacent to that city, by which it is reasonably expected that the general health will be exceeding improved. The lands alluded to are at present occupied as rice-plantations—it is designed to appropriate them to the raising of cotton, corn, grass, &c. requiring a dry culture.

NILES' WEEKLY REGISTER.

No. 9 of Vol. XII.] BALTIMORE, SATURDAY, APRIL 26, 1817. [whole no. 295.

Hæc olim meminisse juvabit.—Virgil.

PRINTED AND PUBLISHED BY H. NILES, AT THE HEAD OF CHEAPSIDE, AT $5 PER ANNUM.

ALMEIDA'S CASE.—The extraordinary interest excited by the late decision of the judges of Baltimore county court in the case of *Almeida*, made us desirous of following the opinion of judge *Bland* by that of judge *Hanson*, which we expected for the present number. The non receipt of it has considerably affected the arrangements that otherwise would have been made for this week's business.

Capt. Almeida has since been arrested by a warrant obtained from judge Duval, of the supreme court of the United States. Application has been made to admit him to bail; but the result of it is not yet known.

Without pretending to give *our* "opinion" on the great question involved by the decision of those judges, which is strengthened by that of several others, we are pleased to observe that it seems likely to raise up a spirit of enquiry that will probably bring about a conclusion upon it, by the competent authority. To assist this enquiry and lead to the desired conclusion, we have herein inserted *Kosloff's* case.

☞It has ever been the unwearied object of the editor to preserve for the possessors of this work all important matters and things having a *national* character. There is a pleasing evidence that he has succeeded pretty well in this in one department, by observing that judge *Bland*, in his opinion, referred no less than *five* times to the Weekly Register for important judicial decisions.

NEW-JERSEY CANAL.—The editor has been furnished with a copy of the report of the commissioners appointed by the legislature of the state of New-Jersey, for ascertaining the most eligible route for, and the probable expence of, a *canal*, to connect the tide waters of the Delaware with those of the Raritan—accompanied with some pointed remarks, in manuscript, on canals, generally, &c. by an anonymous correspondent;—neither of which shall be neglected.

We earnestly recommend the "Pittsburg report" on manufactures, to the attention of every class of our readers.

"EXTRAORDINARY DIMINUTION."

An extraordinary diminution of the revenue of the British post-office establishment was noticed in our last paper—its receipts for the last year being £122,000 less than those of the preceding—but there has been a much more extraordinary diminution in the business of another post-office, more immediately affecting us. The month of *April* has hitherto been the chief harvest-month of the editor of the Weekly Register, and he was accustomed to receive at least *fifteen*, if not *twenty*, letters *per diem* in it, from his friends at a distance;—but in this present April, without any diminution in the business of the establishment, *four* days on one occasion and *three* days on another, passed over without bringing to it a single letter. A case similar to either of these never before occurred since the commencement of this paper.

Support of Paupers.

The very general practice of comparing the state of things in America with their condition in Great Britain, has latterly made many desirous to ascertain the facts belonging to pauperism in the United States—a subject of very serious consideration and of a most alarming extent, in England.

A statement just published by the auditors, exhibiting "the account of the steward of the poor house and house of employment for the county of *York*, Penn. for the year ending on the 22nd day of July 1816, furnishes some facts illustrative of this matter.

The institution has credit for cash received for cattle, grain and vegetables raised on the *farm*, &c. and sold, amounting to $1217 09—and by other commodities, the product of the farm or of the labor of the paupers and others, estimated at $6,284 76—together $7,501 85. Among the latter we have 583 bush. wheat, 240 rye, 326 barley, 235 oats, 1000 corn, 450 potatoes, with hay, cabbage, onions, &c. and 425 lbs. flax, 1212 yards various linens, 10,540 lbs. beef, 2917 pork, with veal and mutton, &c.

The establishment is charged with cash paid for labor performed on the farm, and many little supplies including $275 for sugar, coffee and molasses, &c. amounting to $1194 73; and with grain and meat, &c. consumed by the institution, including fire-wood, to the value of $4,695 33—together $5845 06; leaving articles on hand valued at $1656 79.

There is no charge for the salaries paid to the steward, physician, &c. all which amount to $655—but it would seem from the preceding that the profit of the farm is competent to the entire maintainance of the poor. The live stock, 6 horses, 3 colts, 6 bullocks, 15 cows, 40 sheep and 40 hogs, was valued at $1,478.

The paupers, on the 22nd of July 1816, were—43 men, 20 women and 10 children—total 75. The auditors say the institution is "over-charged."

Taking this as the average number, and estimating the population of the county, at 37,000 [25,643 in 1800, 31,958 in 1810] it appears that a very small fraction more than *one* in *five hundred* of the people of this county are paupers. In England, the average is *one* in *five*. In this respect then, York county stands to England as *one* is to a *hundred*.

Pittsburg Report.

Report of the committee appointed by the citizens of Pittsburg, at a meeting held at the court-house on the 21st of December, 1816, to inquire into the state of the manufactures in the city and its immediate vicinity.

Read, February 17, 1817, in the house of representatives of the United States, and ordered to lie upon the table.

The committee appointed by the citizens of Pittsburg, convened at the court-house on Saturday, the 21st instant, to inquire into the state of manufactures in Pittsburg and its vicinity; have devoted as much time and attention to the subject

as their necessary avocations, and the short period limited for their report would permit. It would have been impossible for them to ascertain with any degree of certainty the number and variety of manufacturing establishments in and near the city, and much less the aggregate value of their produce. The committee moreover did not regard their instructions, as demanding any considerable attention to those subjects, and have directed their views to such branches of industry as have declined for the want of national encouragement. In the discharge of this duty, they have found that the manufacture of cottons, woolens, flint-glass, and the finer articles of iron, has lately suffered the most alarming depression. Some branches which had been several years in operation, have been destroyed or partially suspended, and others of a more recent growth, annihilated before they were completely in operation. The following facts from many others, of less moment, within the knowledge of the committee, are stated in illustration of this part of the subject.

The cotton factory of Jelly and co. occupying a large three story brick building, and propelled by steam, is not now in operation, and most, if not all the hands, are discharged.

The woolen factory of Mr. Arthurs, conducted by the agency of steam, is now but partially in operation and the number of hands reduced one half The same observation applies to the woolen factory of George Cochran, lately removed from Pittsburg, to Beaver creek. The flint glass, formerly made in Pittsburg, and which in point of beauty and style of workmanship, equalled the finest glass from Europe, amounted to upwards of 130 thousand dollars per annum. The enormous influx of foreign glass has already stopped one of the furnaces, and reduced the manufacture about thirty thousand dollars a year.

The wire factory of Mr. Eichbaum, carried on by steam, is no longer in operation.

The butt hinge factory, lately erected by A. Beelen, has fallen a victim to the late importations. The manufactory for curry combs, established by the same gentleman, has met a similar fate. The importance of our manufactures in iron, may be estimated from the following facts: In Pittsburgh and its immediate vicinity there is an annual consumption of pig iron to the amount of 1800 tons, which gives employment to about 150 hands. The value produced is estimated at 225,000 dollars per annum. Of wrought iron there is annually worked up, above two thousand tons, furnishing according to the best estimate in the power of the committee, a produce of one million three hundred thousand dollars.

The great public injury and private distress, which have attended the late depression of manufactures, seems not confined to Pittsbugh or the western country—from many parts of the middle and northern states, the same complaints are heard, and the same distress appears to prevail. The tide of importation has inundated our country with foreign goods. Some of our most valuable and enterprizing citizens, have been subjected to enormous losses, and others overwhelmed with bankruptcy and ruin. The pressure of war was less fatal to the hopes of enterprize and industry, than a general peace, with the calamities arising from the present state of our foreign trade. The circumstances which have induced such a condition of things, demand the investigation of the national government, bound as it certainly is, to provide for the general welfare of the community. Among the inducements presented to men of capital, to invest it in manufactures, the language and the conduct of the administration were not the least. It was certainly understood, and every one was led to believe, that government was at length convinced of the necessity of a reliance on our own resources, and that a permanent support would be given to domestic manufactures. Their growth and prosperity during the war, seemed to atone for its most pressing evils, and became a topic of triumph and exultation at its close. Although we had acquired no territory, nor extorted a formal acknowledgment of the rights asserted by an appeal to arms, the development of our interior resources promised a stability to our independence, which seemed an equivalent for the sacrifices we had made. It was earnestly believed that the destinies of the United States, would no longer depend on the jealousy and caprice of foreign governments, and that our national freedom and welfare were fixed on the solid basis of our intrinsic means and energies. But these were "airy dreams." A peace was concluded with England, and in a few months we were prostrate at her feet. The manufacturers appealed to the general government for the adoption of measures, that might enable them to resist the torrent that was sweeping away the fruits of their capital and their industry. Their complaints were heard with a concern which seemed to vouchsafe the return of better days. The tariff of duties, established at the last session of congress, and the history of the present year, will demonstrate the utter futility of their expectations. Vast quantities of the circulating capital of the country —the life-blood of domestic enterprize—have been drained into a foreign kingdom; our own manufactures have been superseded by British goods, and a balance of trade already stares us in the face, equal, perhaps, in amount, to the whole specie capital of the union. Even the British government, whose rooted and implacable hostility to our manufactures has been proverbial throughout the world, is at length gratified with a complete triumph. Mr. Brougham, a distinguished member of parliament, in a late speech, after noticing the great losses which accrued from the vast exportation of goods to the continent, uses the following language: "The peace with America has produced somewhat of a similar effect; though I am very far from placing the vast exports which it occasioned upon the same footing with those to the European market the year before; both, because ultimately the *Americans will pay*, which the exhausted state of the continent renders very unlikely, and *because, it was well worth while to incur a loss upon the first exportation, in order, by the glut, to stifle, in the cradle, those rising manufactures in the United States, which the war had forced into existence, contrary to the natural course of things.*"

When the destruction of our manufactures forms a strong feature in the views of a rich and warlike power, jealous of our rising strength, and unchangeable in her hatred towards us, their security becomes an object of national pride, and seems to involve the national honor. To England the growth of our manufactures is a subject of concern and dread; their declension a signal of great joy and triumph. Her strength is our weakness; her joy our sorrow; her glory our shame. In such a struggle she regrets no sacrifice, and spares no treasure; the millions scattered to-day will produce a rich harvest in all future years. Is there not virtue, energy and patriotism in the American people to withstand her hostility against their vital interests —a hostility, open, palpable and direct? The eagerness of England to paralyze our manufactures, in itself, demonstrates their importance to us as a na-

tion; they are a resource of wealth and strength which she deprecates; their success would sever the bond which has held us in a servile and mercenary dependence on her from the first settlement of our country. This dependence continued when our allegiance had ceased: and free America was as valuable to England as her former colonies. Our government was our own, but our treasures were still hers. From England we still continued to import the very necessaries of life, and a momentary interruption of our commercial intercourse was a privation of many of our accustomed enjoyments. Her frowns brought instant stagnation upon all business, and reached every condition of life. At the beginning of the last war our government was under the necessity of either conniving at illicit importations, or suffering the merchants to compound for their crimes at an immense profit, in order to get a supply of clothing for the army. There is no man of intelligence who has not a lively recollection of the sufferings of our gallant troops from nakedness alone. We mention it not in the spirit of detraction or complaint—but to exhibit, in the strongest light, the evils of abject dependence, and the necessity of rousing the pride and patriotism of the nation to provide against it in future.

Among the necessaries of life, we may safely rank clothing and subsistence; these we ought not to receive from the hands of Europeans. The United States possess, within themselves, almost every material requisite in the more important manufactures. The inventive genius of our citizens, their enterprize and industrious habits, will enable them, under the care of a paternal government, to equal any other nation in all the necessary branches of mechanical art. The want of capital is no longer an objection to their efficient encouragement—and the want of skilful workmen, though now but partially felt, is an inconvenience which results, in some measure, from the neglect of government. When it shall be known that manufactures are under the sacred guardianship of the nation, foreign artists, many of whom are on the point of leaving our country, will remain among us, and others, encouraged by the spirit of our free institutions and the prospect of a competency, will come to America for employment. Even the short period in which our manufactures had met encouragement, brought hundreds of foreign workmen among us; a proof, demonstrative that a few years of prosperity would produce an ample supply of labor and of skill. The committee are aware that many worthy men, regarding agriculture as the basis of national wealth, or insensibly biassed by considerations of a local nature, oppose the extension of further aid to manufactures.

On this subject they have neither leisure nor inclination for the discussion of abstract systems of political economy; they will advert to principles familiar to the mind of every practical man, and to facts within the knowledge of all classes of citizens. It is certainly true that the subsistence of civilized man depends, in a great measure, on agriculture; but this branch of industry, when properly conducted, is necessarily preceded by manufactures. The implements of husbandry are the work of artificers, and the farmer, before he opens his soil with the plough, must recur to the workers in wood and in iron. Through all the varieties of agricultural labor the same dependence is preserved, and it is impossible to imagine a state of society in which it can be carried on, detached from the mechanical arts.

The value of agricultural labor must depend on the value of surplus subsistence which it places in market. In the interior of the United States, few articles can be raised which will bear a distant transportation; products much more valuable when the grower and consumer are near each other, are therefore excluded from cultivation. A dependence on foreign markets in the most prosperous times necessarily restricts the labors of agriculture to a very few objects; a careless, decrepit, and unprofitable cultivation is the known result.

The propriety of these observations may, in some degree, be illustrated by the difference in value between the land in the vicinity of a large town, and and at a greater distance from it. The labor which produces the greatest quantity of subsistence is bestowed in the culture of articles too cumbrous for transportation; and in general a farm which will subsist fifty persons in its vicinity, would not subsist the fifth of that number three hundred miles off. If the value of land be so much enhanced by the proximity of a market, and so rapidly diminishes by the distance of transportation, the introduction of manufactories, and the creation of an interior market, ought to be regarded as peculiarly auspicious to the interests of agriculturers.

Within a few years past, Pittsburg has grown from an inconsiderable town to a city of ten thousand inhabitants; two-thirds of the population are supported by manufactures. The enterprise and skill of our artificers have created a circulating capital of very great amount. Spacious buildings, with other improvements, have risen up in an almost magical succession; the agriculture of the country around has flourished and extended with a commensurate rapidity; real property, to a great distance in every direction, has doubled and, in many places, trebled in value; the farmers are attaining to affluence, and already find surplus funds for elegant and costly improvements But during the season of our prosperity, the exports of agricultural produce from western Pensylvania have been trifling indeed; small quantities of flour have descended the Ohio, whilst we imported cargoes of bacon from Kentucky, and fish from the seaboard and the lakes. It has been under such circumstances that Pittsburg, and a large territory around, have advanced in wealth, improvements, and population, beyond example.

The committee might assume as a fact, and appeal to every man in the interior of the United States for its truth, that wherever manufactures have been established they have produced similar results: new life and energy have been communicated to agriculture—and the home market, enabling the farmer to diversify his labor, gave him a large profit on many productions too bulky and perishable for exportation.

It is remarked by a very able writer, "that what a town is with regard to the country in its neighborhood, one independent state may be with regard to other independent states; a small quantity of manufactured produce purchases a great quantity of rude produce; a trading and manufacturing country therefore, naturally purchases with a small part of its manufactured produce a great quantity of the rude produce of other countries, while, on the contrary, a country without trade and manufactures is generally obliged to purchase at the expence of a great part of its rude produce, a very small part of the produce of other countries." We might here ask, what has Pennsylvania to give in exchange for the enormous quantities of English goods which she has imported for her own use since the war? Will her agricultural productions be accepted by England? certainly not. What means of payment remain? Admitting a foreign market could be

found, what proportion in value will her exportable produce bear to the manufactures received? With the most fortunate trade, a frightful balance would remain to be discharged in gold and silver. Confining our views to the western country, we might emphatically ask, with what exportable commodities shall we restore the balance of trade, now fast accumulating against us? How arrest the incessant drain of our capital? Our manufactures are perishing around us, and already millions have escaped, never to return.

In the remarks of the committee thus far, the certainty of a foreign market has been conceded: but the slightest reflection will convince us that this is a resource of the most precarious kind. The agriculture of Europe is fully adequate to the subsistence of her population, and it is only in times of war or unpropitious seasons, that a market is opened there. In the West Indies our hopes and fortunes are the sport of chance, and fluctuate with the caprice of European tyrants or colonial governors. These considerations abundantly show that a foreign market cannot be relied on—that it is an object of the most changeful and illusive character. In time of general war in Europe the demand for our produce, and especially the carrying trade, gave encouragement to the interior and commercial industry of the United States. Satisfied with the present good, the certainty of future evil was not regarded, and every plan of private enterprise and maxim of political economy had an exclusive relation to the existiug state of things. Our government and country seemed to think (and they certainly acted) as if the war in Europe, which had lasted so long, would last for ever. With the return of peace, these habits and opinions are not changed. All the arguments against manufactures are still predicated upon the existence and continuance of a foreign market, a privilege resulting from the pressure of war, and consequently unnatural and transitory.

The plans of every wise government, are the result of enlarged and comprehensive views of the future and the past. They have an inherent stability adapted to every vicissitude of peace and war. A shifting changeful policy, which follows the fortunes of other nations, and becomes the slave of accidental emergencies, is the reverse of wisdom. Shall the prosperity of the United States, be forever staked upon the chance of European wars?

A nation merely agricultural was never rich; and, on the contrary, there have been nations of very slender agriculture, possessing immense wealth; whose industry and manufactures enabled them to push their commerce into every sea, and carry the terror of their arms to the remotest regions of the globe. These facts are confirmed by every page of history; and a slight recurrence to the rise and growth of manufactures, in some of the kingdoms of Europe, will place them in a clear and striking point of view. "Until the reign of Edward III." says Anderson, "England had no manufactures for exportation; that king's revenues, were, therefore, comparatively very inconsiderable, for in the 22d year of his reign, (1328,) when, in a hot war with France, the whole subsidy on wool exported, at 40 shillings a sack, (a very heavy tax) was but 60,000 pounds. This king, attentively observing the great benefits accruing to the Netherlands, from their vast woolen manufactures, and that they owed all their wealth and power, entirely to English wool:—viewing also the beauty, populousness, opulence and strength, of their cities, and wealth even of their villages, whilst those of his own kingdom were mostly poor, ill built, small and thin of people; and reflecting that the province of Flanders particularly, was thereby become so opulent and potent as to be a dangerous neighbor to England, more especially when in alliance with France, he determined to attempt the removal of every obstacle in order to attain the same benefits and advantages to himself and people

At this period the city of Bruges was arrived to such a pitch of grandeur and wealth by its *manufactures and commerce*, that the king of France, being here with his queen, they were both astonished at the magnificence and riches of that city. The ladies of Bruges put her majesty out of all patience to see how splendidly they were decked with jewels and rich attire, so that she broke out into this passionate speech: "I had thought, that I was the only queen here, but I find there are above six hundred (besides myself) queens in this city."

King Edward, pursuing the policy he had so earnestly adopted, granted a letter of protection to John Kemp of Flanders, a woolen cloth weaver, coming over to exercise his trade in England, in the year 1331, and as his protection expresses it, "to teach his trade to such of our people as shall incline to learn it. The king hereby taking the said Kemp with all his servants, apprentices, goods and chattels, into his royal protection, and promising the same likewise to all others of his occupation, as also to all dyers and fullers who shall incline to come and settle in England. In consequence thereof, seventy families of Walloons were this year brought over to England by the invitation of the king, for promoting the woolen manufacture, and teaching it to the people."

Similar protections were afterwards granted and other woolen manufacturers were induced thereby to carry on their business in England. Six years after the first fine-cloth weaver was brought into England, a parliament was summoned, and at the instance of the king, it was enacted "that no English wool should be exported under pain of forfeiture of life and member till otherwise ordained; that all cloth-workers should be received from any foreign parts, and fit places assigned, with as many and such franchises as might satisfy them, and a certain allowance made them till they were fixed in some competent way of living; that none should wear any cloth in future but such as was made in England, except the king, queen, and their children; and that no foreign cloth should be imported on pain of forfeiture and other punishment." Under such encouragement it was not long before the woolen manufacture spread into many parts of England. Several of the citizens of Bristol, immediately after the act of parliament was passed, set up looms for weaving cloth, which example was afterwards followed by some of the neighboring counties.

"The establishment of woolen manufactures in England did, without doubt, at first diminish the king's customs, because all the wool of the home-made cloth was used to be exported, on which a considerable custom was paid, as did also the cloth brought back in return from the Netherlands."—*And. His. Com.* But we find that in the year 1354 the general balance of the commerce of England, then in its infancy, was nearly eight hundred thousand pounds of her present sterling currency. Upon which "noble balance" sir William Temple observed, "that there must have entered into England during this year, either in coin or bullion, or else, which is the same thing, their must have grown a debt to the nation of just so much as that balance amounted to." At this time England had began to send

coarse woolens abroad; for among the exports of this year we find 4,774 coarse cloths, and 80,061½ peices of worsted. The manufactures of silk, cotton, linen, iron, &c. &c. were then unknown in England. Her commerce had scarcely reached the Baltic sea, and few of her ships had ever appeared in the Mediterrannean.

All English writers agree that the preasent astonishing wealth and grandeur of that nation are to be traced back to these small beginnings. "It is her manufactures, say they, which have brought England to her unrivalled opulence and power." When Edward III. began his reign, the wealth of England consisted in cattle, sheep, and the products of a rudely cultivated soil. The English were poor, ignorant, and servile. The Netherlands, in extent but a speck upon the map of Europe, and whose natural products were very inconsiderable, by her woolen manufactures alone, attained to such a height of opulence that some of her private citizens, in their treasures and equipage equalled the greatest monarchs of the surrounding nations. No sooner were the woolen manufactures naturalized in England, and guarded by the strong arm of government, than similar effects began to be witnessed there. England gradually emerged from poverty and ignorance, to wealth, knowledge and splendor.

The history of all nations demonstrates that manufactures have been the inseparable allies of wealth and power. Their prosperity or declension constitute an epocha in the rise and fall of cities and nations. The vast capital and power recently possessed by Holland may be traced back to the dawn of her manufactures. "By reason of the tumults and discontents occasioned by restrictions and taxes upon the manufactures in the towns of Flanders and Brabant, many of the manufacturers of those towns, says Pensionary De Witt, removed soon after the year 1300 to Holland, whereby the towns of the Hollanders increased in greatness and number of inhabitants."

In the year 1380, Louvain, a great, flourishing and populous city, was ruined by an insurrection of the journeymen weavers against their sovereign, the duke of Brabant; who having besieged the revolters, obliged them to submit to his mercy, and the greatest part of them were banished—many of them settled in Holland, and some in England; where they were kindly treated, and contributed to the improvement of the woolen manufacture in both countries. "From this time," says Anderson, "Louvain was never able to recover its former lustre and riches, being at this day famous for nothing but *good beer*." The history of Venice, Florence, Genoa and Lyons, exhibits the same picture and establishes the same conclusions. Manufactures and the arts have invariably been the handmaids of wealth, commerce and power.

They have been fostered by every wise government with paternal care, and most of the distinguished reigns in Europe have been characterized by their encouragement.

In the year 1599, king Henry the IV. of France, prohibited, by a special edict, all foreign manufactures, as well of silk, as of gold or silver, pure or mixed, at the request of the merchants of Tours, who undertook to make quantities of such manufactures, sufficient for the whole kingdom. Yet, grasping at more than they could perform, and being also complained of by the city of Lyons, justly styled (on account of its manufactures) the golden gate of France, as thereby destroying their famous fairs, as well as lessening the king's customs, that edict in favor of Tours, was revoked. Yet, as Puffendorf observes, "these new manufactures of France, and more especially that of silk, afterwards drew wealth into the kingdom."

"The king saw (1603) that it was in vain to prohibit the exportation of gold and silver, unless those things were made and improved at home, the want of which had hitherto principally occasioned the said exportation; that the wearing of silk clothing was, in his time, become so common, more especially among the fair sex, that they despised the use of woolen, so universally and frugally worn by their ancestors; and that hereby much money was sent out of the kingdom, for the purchase of wrought silk. Wherefore, the king, not only set about the propogating of the worms for the spinning of raw silk, but, which was the greater benefit to the public, the manufacturing of the same. The king, also, procured workmen from Flanders, for a tapestry manufacture, in which country it had long flourished The manufacture of fine earthen-ware he introduced also into France from the Netherlands. He revived the glass-houses, which had been first set up in king Henry the second's time, in imitation of those at Venice. He also established a linen manufacture. That the king's magnificent improvements in buildings, gardens, &c. were suitable to his great genius. He also made rivers navigable, &c."—*And. Hist. Com.*

"In the year 1606, he set up in divers parts of the kingdom, the manufacture of tapestries, gilt leather, hangings, mills for working and cleaning iron, gauzes and fine linen cloth, potters' or fine earthen-ware, glass-houses for chrystaline, cloth and serges, stuffs and silks, with several others."—*And. Hist. Com.*

Examples, like the foregoing, might be cited from all the enlightened and wealthy nations of Europe, but a further reference is deemed unnecessary.

The history of Spain furnishes an instructive lesson to all nations on the subject of manufactures, and shows that the want of them is not compensated by the highest natural advantages of soil and climate, and the greatest resources in colonies and mines of the precious metals. "From the year 1493 to the year 1724, the gold and silver brought into Spain from the Indies is computed to have amounted to 5,000,000,000 of dollars; being above twenty-one millions and a half yearly, on a medium; yet all this treasure necessarily goes out every year to other European nations for the manufactures and produce of those nations with which Spain and its Indies are supplied in immense quantities. Some have been of opinion, that it would have been happier for Spain if she had never planted in America, unless she had, at the same time, cultivated manufactures of all kinds."

We often hear it urged, that prohibitions and heavy import duties, are calculated to control and change the course of private enterprize which had better be left to the direction of private interest, and that in effect they sacrifice the general interests of the community, to the partial interests of a few individuals.

As to prohibitions and duties, the committee would observe, that the value and importance of manufactures, in a *national* point of view, are acknowledged by all. It is also admitted, that they have seldom, if ever, succeeded without the aid and protection of government. The committee will not attempt a refutation of the subtleties of abstract speculatists, as to the justice or expediency of such aid and protection. It will be sufficient for them to refer to the practice of the most wealthy and powerful nations in the world for a test of their utility. England, in almost all cases, prohibits under severe pe-

nalties, the *exportation* of all her raw materials for manufactures She also prohibits directly, or by excessive duties, the *importation* of almost every article of manufacture, the raw materials whereof she possesses within herself, or is able to procure from other nations. Her laws, on these subjects, are matters of curious research; and the progress of her manufactures may be traced in her penal statutes. Some branches were introduced originally by the power of government alone. Others, while in an incipient state, were fostered and guarded by its care. England never suffered a foreign government, or a combination of foreign capitalists, by glutting her own market, to crush in the cradle, any branch of her domestic industry. She never regarded, with a cold indifference, the ruin of thousands of her industrious people, by the competition of foreigners. The bare avowal of such an attempt would have incurred the indignant resistance of the whole body of the nation, and met the frowns, if not the instant vengeance of the government. The consequence of this policy in England are well known; her manufactures have become a source of wealth incalculable; the treasures of Spanish America are poured into her lap; her commerce is spread over every ocean, and with a population comparatively small, she is the terror and the spoiler of Europe. Take from England her manufactures and the fountains of her wealth would be broken up; her pre-eminence among nations would be lost forever.

Similar consequences have flowed from like causes in all the opulent nations of Europe. The history of the Netherlands, Holland and France, all concur in the same result; when the energies of the government were strongly exerted in the patronage of manufactures, the nation prospered; when manufactures were neglected, the nation declined. Such examples are fraught with wisdom and instruction to ourselves. Of what moment are untried theories, when opposed by the experience of age?

If the United States in their trade, as well as geographical position, were detached from all other nations, private industry might be safely left to the guidance of private interest. But such is not the case; we constitute a branch of the community of nations, and are necessarily affected by the policy of other countries. England, with whom our dealings are most extensive, *sells* but never *buys* her manufactures—the means by which they are supported, are calculated to prostrate all rivalship on our part. England impedes the enterprize of American citizens; she controls and directs the pursuits of private industry among ourselves; her interference extends to every field and workshop in America; we suffer the ardor of genius and the vigor of exertion to be smothered and deadened by it. Remove this baneful interference, or restrict it so as to be harmless, and the interior trade and industry of Americans may be safely left to themselves. The free and unrestrained scope to private enterprize, which is so strongly insisted on by those who deprecate the patronage of government to manufactures, is the weightiest argument to prove its necessity. The government must go so far at least, as to countervail the checks to American enterprize proceeding from foreign nations.

The establishment of manufactures, instead of producing a partial benefit to individuals, to the prejudice of the rest of the community, would evidently add to the comforts and the wealth of all. A few years of competion, amongst themselves, would fix the prices of their products upon a fair and a reasonable scale.

The population of the country will be condensed and the chances of civilization and improvement greatly multiplied; science, literature and the arts have never taken deep root among a thinly scattered people.

The prevalence of manufactures would also ameliorate the agriculture of the country—the proximity of a market for its products giving a stimulus to industry by increasing its reward. Hitherto the want of good roads and canals has retarded the growth and improvement of many sections of the inland country. By manufactures a vast interior commerce will be brought into action; and roads and canals, affording new facilities to its prosecution, will not be delayed. Viewing the subject of manufactures in this point of light, the declamation so often heard, against taxing the farmer, by excessive import duties, and compelling him to purchase at the dearest market, loses all its force. If by manufactures, and interior commerce, the value of his products, and consequently his means of payment, are doubled—if his money be retained in the general stock of currency, instead of being sent abroad—if his comforts are augmented, and his land vastly appreciated—if his country be disburdened of her load of foreign debt, and her independence fixed on the deep and solid basis of her own resources, a trifling addition to the price of his clothing, and other necessaries would not be regarded. Of what benefit is a depreciation of price, if it brings a two-fold depreciation of the means of payment? But the objection, noticed above, taken in its most plausible aspect, applies merely to the infant state of manufactures; their patronage would soon command artists, capital and skill—their growth maturity, and competition would reduce the prices of their products.

The committee, in attending to the subject of their appointment, have been led to a cursory examination of the tariff of duties, established during the late session of congress. They find that the duty on flint glass, which was formerly 22, is now but 20 per cent. Congress have also declared that cotton cloths, or cloths of which cotton is the material of chief value, (except nankeens imported direct from China) the original cost of which at the place whence imported, with the addition of 20 per cent. if imported from the Cape of Good Hope, or from places beyond it, and 10 per cent. from any other place, shall be less than 25 cents per square yard, shall, with such addition, be deemed and taken to have cost 25 cents per square yard, and shall be charged with duty accordingly, *twenty-five per cent.*

They will now turn, for a moment, to the progress and patronage of the cotton manufacture in England. In 1787 there were built, and in progress in Great Britain 143 cotton mills, and 20,500 jennies for spinning; the shute for the twisted yarn spun by the watermills. The expence of the mills, jennies, houses, buildings and auxiliary machinery was estimated at 1,000,000 pounds. In the branches applicable to muslin and calico, employment was given to 100,000 men and women, and to 60,000 children; many of the latter taken from the parishes and hospitals. But notwithstanding the great maturity and perfection to which this manufacture had attained in England at the period of which we speak, it was suddenly checked by the competition of East-India goods of the same species, imported by the East-India Company, and sold about 20 *per cent.* on an average, under the lowest prices at which the British manufacturers could afford to sell without loss.

Anderson observes, (1787) "such conduct in the company," (all Englishmen) "must operate to the very great prejudice of the British manufactures, and will continue to do so while they *press goods upon the market* at prices which have no relation to the original cost, and under circumstances when the just laws of competition cannot operate, and when every idea of protecting duties is annihilated in the general system." "It appears, therefore," says he, "that unless some relief is given, perhaps little short of one half of the present mechanical powers now in action must cease working." It will be kept in mind that the East-India goods were imported from British provinces by British subjects. We will now see what measures were adopted by the British government for the protection of the cotton manufactures in England. In the same year, (1787) an act of parliament was passed, "imposing a duty of *fifty pounds* for every hundred pounds of the true value of East-India cotton manufactures, according to the gross price at which goods were sold at the public sales of the company trading to the East-Indies." In 1798 this duty was increased to one-hundred and twenty-two pounds, four shillings and five pence, for every hundred pounds of the original cost, as abovementioned. Such duties were necessary for the protection of British manufactures against a competition from their own provinces; and this too when they had been brought to the utmost possible perfection. Our government protects our own infant manufactures against British competition by a duty of *twenty five per cent.* Further time would enable the committee to extend their animadversions upon the tariff; but its defects are known and proved by the present condition of the manufactures which it *affected* to assist.

Strong and imperious reasons for the encouragement of manufactures are suggested by the state of our foreign trade. In the year 1815, the general balance against us amounted to seventeen millions of dollars; a sum nearly equal to the annual produce of all the mines of Spanish America within the period before noticed. It would give us pleasure if the friends of commerce, and enemies of manufactures, would inform us by what means this accumulating balance is to be discharged; suppose the country were now called on to pay it? sudden and inevitable bankruptcy would ensue. Such is the awful predicament in which we awaken from the golden dreams of British trade! Plunged into inextricable debt; the interior energies of the country paralyzed; our manufactures sinking into annihilation, and poverty and misery staring us in the face!

For a speedy redress of such pressing evils, we look to the government of the union. Will they uphold the sinking manufactures of the country, or will they not? are their late assurances of aid and protection forgotten with the crisis that gave them birth? Let them realize the hopes of the country, and act with decision before it be too late.

Note—The annual products of the undermentioned manufactures in Great Britain, in 1783, was estimated at fifty-one millions three hundred and ten thousand pounds sterling, viz:—wool, leather, flax, hemp, glass, paper, porcelain, silk, cotton, lead, tin, iron, steel, plating, &c. The above sum when turned in American currency, is 232 million dollars; an amount ten times as great as that produced by the mines of Spanish America at the period mentioned in the foregoing report.

The value of the cotton manufactures alone, in 1787, was seven millions three hundred thousand pounds sterling; a sum probably greater than the mines of America ever produced in the same time.

Resolved, That the citizens of Pittsburg, in a town-meeting assembled, do approve of the foregoing report; and that the committee be requested to transmit a copy of the same to the speaker of the house of representatives of the congress of the United States.

E. DENNY, *Chairman.*

(Attest)
E. PENTLAND, *secretary.*

Foreign Articles.

ENGLAND, &c.

☞The debate in the house of commons for suspending the *habeas corpus*, together with the reports of the secret committees, would make us believe that a *revolution* was actually contemplated in Great Britain by a very considerable portion of the people. Those in power give it as their opinion that designs destructive of the *constitution* are still extending; but this is believed by many to be only a stratagem to get greater power into their hands, to enable them to pursue their iniquitous courses.—The ministerial papers are doing all that they can to alarm the people—*France* and the *French*, *tricolored cockades* and *committees of public safety*, are spoken of in almost every line. Arms, it is said, are still sought for, the clubs are multiplying, the lists of proscription filled up, &c. But the report of the committee inserted below is full on these subjects.

It may be, that there is cause for this alarm—if so, we hope it will go on to a thorough *reformation* of the governing power in Great Britain.

A bill for the suspension of the *Habeas Corpus* passed parliament on the 4th of March—but at our last advices had not received the royal sanction. It was introduced by Castlereagh, and passed the commons 273 to 98. The city of London had remonstrated against it. In the house of lords a number protested against it.

The debates about reform go on with pretty severe cuttings in the British parliament. They will amount to nothing. The people have no chance of regaining their rights but in the same manner that they were deprived of them—which is, by the sword. Those considered as friendly to reform are divided among themselves as to the extent they would give it.

The petitions to parliament for reform, presented by sir Francis Burdett, are said to have had a *million* of signatures. The funds continue to rise—3 per cent. cons. March 6, 69 3-8.

The customs produced for the month expiring on the 5th February, were 6,884*l.* sterling above that of the same month last year, but was 60,575*l.* sterling below that of 1815.

The expences of the British army in France for one year is estimated at 1,030,603*l.* sterling.

Dr. Watson and five other persons have been arrested and committed to different apartments of the tower, as having been concerned in some of the late riots.

10,000 British troops, one-third of their army of *occupation*, arrived in England from France on the 24th of February.

The number of persons on the half-pay list in the army and navy is about 100,000, of whom about 56,000 belong to the former. The half-pay and pensions for the army and navy cost the nation nearly 4,500,000£. per annum. It is supposed that the

number will decrease at the rate of 2,000 a year, by deaths.

The charges for the army and navy, barracks, extraordinaries, ordnance and miscellaneous services, after all the talked-of reductions, will amount to about 18,500,000 for the present year. Besides which there is the civil list and many *et ceteras*

Castlereagh has been sick—but was recovering.

Cattle.—180 head of cattle (one-third of them yearlings and calves) bred by a Mr. Price, near Upton, sold for the enormous sum of 7,600*l.* One yearling bull for 341*l.* 5*s.* a heifer for 252*l.*

House of commons, Feb. 19. *Report of the committee of secrecy.*—That it appears to your committee, after a most attentive consideration of the documents submitted to them from various parts of the country, that attempts had recently been made to take advantage of the distresses of the laboring and manufacturing classes of the nation, with a view not only to effect a parliamentary reform on the principle of annual parliaments and universal suffrage, but to cause the total overthrow of all our institutions, and of every description of landed and funded property.

That this system of general spoiliation chiefly proceeded from the doctrines maintained by a number of societies distinguished by the title of "Spencean," whose tenets were principally drawn from the works of a visionary writer, published above twenty years ago. That at meetings of these societies it was urged, that parliamentary reform must be held out as the ostensible object of their efforts, and with a view to mislead their enemies, but that it was in fact only a half measure; and that the people ought to look to the possession of the land, and nothing short of that; and that as to the constitution, of which so much had been said, this country had no constitution, for it was not to be found in any book, nor could any man tell what it was. In other societies, founded on the Spencean principles, it had been maintained that the only remedy for the grievances of the people was, to hunt down the land-owners, and to deprive those still greater wretches, the fund-holders, of their pretended rights.

It appeared also, that these, and other societies of a similar character, had been guilty of the most blasphemous and impious proceedings; and that as they assumed to be of a convivial nature, their political discussions were followed by songs of the most inflammatory and seditious description, and by the recitation of profane parodies of the liturgy, and of various parts of the holy scriptures.

That in order to extend the principles of these societies over the whole kingdom, the most active efforts were made by their various members; and in consequence, those principles were disseminated in speeches at the public meetings to the discharged soldiers and sailors, and to the distressed laborers and manufacturers of the country; and that, in aid of this object, incredible activity had been used to disperse cheap, and in many instances gratuitous, publications, unfolding the doctrines of the societies.

That it had been proved to the entire satisfaction of your committee, that a number of the members of the various societies, acting in a body as delegates, conceived and declared, that in their opinion the objects which they had in view, might be, and ought to be, insured by an effort of the physical strength of the people to overpower the constitutional authorities. That they considered the first step which should be taken by them for this purpose, was by their individual exertions to discover and foment the discontents of the metropolis and its vicinity; and that reports of their proceedings were made by the individual delegates to the general body.

That it appears to your committee that a plan was formed, by a sudden rising in the dead of night, to surprise the soldiers, and in the terror which would be thereby occasioned, to set fire to the town in various places, and to take possession of the barracks, the tower and the bank. That to assist in the execution of this project, a formidable machine was invented with which the streets could be cleared of all opposing force. This plan was, however, relinquished as premature; and it was resolved that it would be more proper to ascertain the strength of the popular party, by convening meetings under the pretext of taking into consideration the legal mode of redressing grievances; and a map of London having been examined, Spa-fields was selected whence an attack on the bank and the tower could, with the greatest facility be made. That the first meeting at Spa-fields was accordingly advertised for the 15th of November, and that printed and written placards were exhibited in all parts of the town, of one of which the following is a copy:

"Britons to arms! The whole country only waits the signal from London. Break open the gunsmiths'. Arm yourselves with all sorts of instruments. No rise in the price of bread. No regent. No Castlereagh. Off with their heads! No taxes. No bishops; they are only useless lumber.

N. B.—5000 of these bills are posted up in the town, and in the principal parts of the neighborhood."

That the intended insurrection assumed all the symbols of the French revolution. That a committee of public safety was formed, consisting of twenty four members. That flags and cockades were prepared for the occasion. But that on the 15th of November, when the first meeting took place, there was no violence (although there was some plunder in the evening of the day) and that the meeting adjourned to the 2d of December, by which time it was hoped means might be found to accelerate the accomplishment of the projected undertaking.

That your committee find that not a moment was lost in the interval between the first and second meeting, to take advantage of every circumstance which could further the attainment of the objects in view. Additional publications, of an inflammatory nature, were circulated every where. Endeavors were made to raise a general subscription for the support of those who had relinquished their ordinary occupations, to enable them to devote themselves to those purposes, which persons had hitherto chiefly been paid by a principal member of one of the societies. A plan was formed for the seduction of the soldiers, by raising hopes of promotion in the event of their joining in the approaching attempt, and exciting discontent among them by a story of the landing of a large foreign force in the country. It was again recommended that the barracks should be the object of particular observation—Those quarters of the town, where distress was most prevalent, were visited by individuals appointed to inflame the people. Those warehouses along the river, and those shops in various parts of the town, where arms were deposited, were carefully noted. A plan was also formed for the seduction of the sailors, by offering them additional pay, under the new government which was about to be established.

That immediately before the meeting of the 2d

of December, many persons, connected with these proceedings, procured arms of various descriptions. It was thought that sufficient means had thus been obtained to carry on the intended operations for at least two hours, by which time, it was supposed, enough would be got from the gunsmiths' and other depots, to arm a considerable number of individuals The manufacture of tri-color ribbon was encouraged with a view of rendering it familiar to the eyes of the public.

Your committee have further received undoubted information that a large number of pike heads had been ordered of one individual, and 250 actually made by him, and delivered and paid for. It was also undoubtedly intended to liberate the prisoners in the principal goals in or about the metropolis, in the hope of their concurrence and assistance in the intended insurrection. Addresses were introduced into some of the prisons, and recommended to be communicated to others, in which the persons confined were invited, in the name of the tri-colored committee, to rally round the tri-colored standard, which would be erected on Monday, December the 2d, and to wear tri-colored cockades themselves. It was promised that the prisoners should be liberated by force, and arms were stated to be provided for them, and they were directed to be ready to assist them in the overpowering the turnkeys. A waggon was hired for the business of the day, in which the flags and banner, or standard, which had been previously prepared, together with some ammunition, were secretly conveyed to the place of meeting. From this waggon, before the ostensible business of the day commenced, in the other part of the field, the most inflammatory speeches were delivered, tending directly to excite insurrection, concluded by an appeal to the multitude assembled, whether they were prepared to redress their own grievances. A tri-colored cockade was then exhibited, and the tri-colored flag was displayed, and a number of persons followed it out of the field.

The direction which they took was towards that part of the town previously designed; gunsmiths' shops were broken open, addresses and offers were made to the soldiers at the tower to induce them to open the gates; but from the failure of the numbers expected to join the insurgents, no attempt was made to force the gates. An attack was, however, made upon the city magistrates, assembled in the Royal Exchange, a shot fired, and a tri-color flag and cockade openly displayed and seized on the offender.

In reviewing the whole of the transactions of the 2d of December, your committee are firmly persuaded, that however improbable the success of such a plan may appear, it yet was deliberately premeditated by desperate men, who calculated, without reasonable ground, upon defection in their opposers, and upon active support from those multitudes whose distress they had witnessed, and whom they had vainly instigated to revolt. That, consequently, it was not merely the sudden ebullition of the moment, or the unauthorised attempt of any unconnected individual.

Your committee are further convinced that notwithstanding the failure of the 2d of December, the same designs still continue to be prosecuted, with sanguine hopes of success.

Your committee having thus stated the general result of the evidence which has been laid before them, respecting the state of the metropolis, have now the no less painful duty of calling the attention of the house to what has been passing during the period in different parts of the country, a subject of equally momentuous consideration. The first thing which has here forced itself upon their observation, is the widely diffused ramification of a system of clubs, associated professedly, for the purpose of parliamentary reform, upon the most extended principle of universal suffrage and annual parliaments. These clubs in general designate themselves by the name of Hampden clubs. On the professed object of their institution they appear to be in communication and connection with the club of that name in London.

It appears to be a part of the system of these clubs, to promote an extension of clubs of the same name and nature, so widely as if possible to include every village in the kingdom. The leading members are active in the circulation of publications likely to promote their object. Petitions, ready prepared, have been sent down from the metropolis to all societies in the country disposed to receive them. The communication between these clubs takes place by the mission of delegates; delegates from these clubs in the country have assembled in London, and are expected to assemble again early in March. Whatever may be the real object of these clubs in general, your committee have no hesitation in stating, from information on which they place full reliance, that in far the greater number of them, and particularly those which are established in the great manufacturing districts of Lancashire, Leicestershire, Nottinghamshire, and Derbyshire, and which are composed of the lower order of artizans, nothing short of a revolution is the object expected and avowed.

Your committee find, from equally undoubted information, that the doctrines of the Spencean clubs have been widely diffused through the country, either by the extension of similar societies, or more frequently by the intervention of missionaries or delegates whose business is to propagate those doctrines throughout every society to which they have access. It is the universal practice of these societies, to require from the members a small weekly subscription, which provides a fund for the expences of these missionaries, and also for the purchase of seditious tracts which are read and commented on at their meetings. Some of these tracts now before your committee, inculcate in the most artful manner, the necessity of overturning what they call "the privileged class," as distinguished from the people, who are described as consisting of laborers, artizans, tradesmen, and every profession useful to society. A new order is declared to be the will of the people; rebellion is justified by the assertion that a nation cannot be a rebel; and all religion is disavowed, as well as loyalty, by the assertion, in answer to the question, "would you live without gods or kings?" "we abjure tyranny of every kind."

It seems, indeed, to be a part of the system adopted by these societies, to prepare the minds of the people for the destruction of the present frame of society, by undermining not only their habits of decent and regular subordination, but all the principles of morality and religion. Your committee find, that there is scarcely any very numerous society in the parts above referred to, of whose proceedings they have obtained an account, in which some of the leading speakers do not openly avow the most seditious opinions, and do not excite their hearers to be prepared for actual insurrection. Topics for discussion are selected with this view; amongst others the question, wether the jacobin or the loyalist was the best friend to his country? Even where the petitioning is recommended, it is proposed to be conducted in such a manner, by an

immense number of delegates attending in London at the same time, in several parties, attached to each petition, as might induce an effort to obtain by force whatever they demanded. A general idea seems prevalent among those who compose these societies, that some fixed day, at no very great distance, is to be appointed for a general rising. They have been taught to look to the meetings in London, as the signal for their operations, and have been in the habit of adjourning their own assemblies simultaneouly to the same day; and it is a lamentable instance of the common interest they feel, if not of the connection which is formed with those most implicated in the outrages committed in the metropolis, that about Manchester and some other places, the greatest exultation was manifested previous to the meeting in Spafield of the 2d of December; and the taking of the tower and the ruin of the bank were publicly and confidently predicted. The news of the result was impatiently expected, the roads were crowded during the night with a number of persons, many of them delegates from the different societies in the country, waiting for the arrival of the mail coach, and the disappointment was not concealed, when it was ascertained that the riot had been quelled without much serious or extensive mischief.

It appears that the confidence of the disaffected is such that they represent the numbers enrolled as amounting to several hundred thousand, and that their societies are daily increasing; that in their lists they distinguish by particular marks those among their subscribers who are able bodied men, and ready to act when required; and that they also keep a list of those who refuse to join them in what they call a "black book" and threaten vengeance against those persons when the general insurrection shall take place. In some parts of one populous county, where nearly every village has already its Hampden club, the members make it no secret that they consider themselves as of no other use than as being ready to act whenever they are called upon: on their admission they are said to be listed, and receive a secret card with the words *"Be-ready, be steady."*

The habits and manners of these persons seem entirely changed; they already calculate upon the share of land which each is to possess, and point out the destruction of the churches, as the necessary consequence of their success. It appears that preparations are in progress, in several places, for providing arms; the demand upon gunsmiths, for every species of fire arms, has been beyond all former example, the intention is professed of having recourse for a still larger supply to those towns where arms are manufactured, and where they are to be obtained at a very low rate, from the general cheapness of labor at this time; or in case of necessity they are to be seized by force. The facility of converting implements of husbandry into offensive weapons, has been suggested; and persons have been sent to observe the state of particular places, where depots of arms for the public service were supposed to have been formed.

Your committee find, that a system of secret association has been extended to the manufacturing population of Glasgow, and some other populous towns of Scotland; and although these societies have availed themselves of the same pretext, of parliamentary reform on the broadest basis, your committee are firmly persuaded, from the information that has been laid before them, that their ultimate object is the overthrow by force of the existing form of government. That the time for attempting this enterprize was to depend on the simultaneous rising of the disaffected in England; with some emissaries from whom occasional intercourse appears to have taken place, and that some provision of weapons has been made by this association.

Your committee have now submitted to the house what they conceive to be a fair and not exaggerated statement of the result of their investigation. They have thought themselves precluded from inserting, in an appendix, the information from which it is drawn, by the consideration, that unless it were extremely partial and complete, they could not make it public without hazarding the personal safety of many respectable individuals, and in some instances without prejudicing the administration of public justice.

On a review of the whole, it is a great satisfaction to your committee to observe, that, notwithstanding the alarming progress which has been made in the system of extending disaffection and secret societies, its success has been confined to the principal manufacturing districts, where the distress is more prevalent, and numbers more easily collected; and that even in many of these districts, privations have been borne with exemplary patience and resignation, and the attempts of the disaffected have been disappointed; that few, if any of the higher orders, or even of the middle class of society, and scarcely any of the agricultural population, have lent themselves to the more violent of these projects—Great allowance must be made for those who, under the pressure of urgent distress, have been led to listen to plausible and confident demagogues, in the expectation of immediate relief. It is to be hoped, that many of those who have engaged to a certain extent, in the projects of the disaffected, but in whom the principles of moral and religious duty have not been extinguished or perverted by the most profane and miserable sophistry, would withdraw themselves before these projects were pushed to actual insurrection.

But with all these allowances, your committee cannot contemplate the activity and arts of the leaders in this conspiracy, and the numbers whom they have already seduced, and may seduce; the oaths by which many of them are bound together; the means suggested and prepared for the forcible attainments of their objects; the nature of the objects themselves, which are not only the overthrow of all the political institutions of the kingdom, but also such a subvertion of the rights and principles of property as must necessarily lead to general confusion, plunder and bloodshed; without submitting to the most serious attention of the house, the dangers which exist, and which the utmost vigilance of government, under the existing laws, has been found inadequate to prevent.

GERMANY, &c.

A *Frankfort* article says that the ex-queen of Spain resides in that city. She lives retired, devoting her time to the education of her two daughters, 16 and 15 years old. The manners and dress of the family is described as very simple, but elegant.

Ruinous bankruptcies are spoken of at Munich—one of which is said very seriously to have affected the fortune Eugene Beauharnois.

The actual armed force of Austria is computed in a German journal at 550,000 men.

RUSSIA.

Mr. Pinkney has arrived at St. Petersburg and had an audience with the emperor. The relations between the United States and Russia are on the happiest footing.

ITALY.

The city of *Messina* lately presented a scene of lawless riot and utter confusion for several days, because the communion cup, with the Host, had been stolen from a certain church. The troops were called in to quiet the fury of the people, who were for burning the houses of all unbelievers. The shops continued shut for a long time—processions were continually passing through the streets—nobody dared to work—even the soldiers were compelled to wear *crape*, and become parties in the general mourning.

A *London* paper, of February 8, has the following: "The foreign papers contain a most interesting article on the subject of the late negociations between the American minister at Naples and the Neapolitan government. It is not true, *and we are most happy it is not true*, that the Island of Lampedosa has been ceded to the Americans towards whom the government of Naples has behaved with great spirit. The former have, in fact, gained nothing by their mission to Naples. The Americans are certainly a rising people; but it is rather premature, we think, for them to begin the re-action of colonising Europe."

Longevity.—On the 15th of December a Catholic Priest proceeded on foot to the Cathedral of Adria, in Lombardy, and returned thanks for having attained his 110th year, without infirmities or sickness! He was accompained by an immense concourse of people, and chaunted the Cathedral service in a firm, manly, and dignified voice.

BONAPARTE.

A London paper of Feb. 1, says.—An account has reached this country from St Helena, of a correspondence with Europe, carried on by one of Bonaparte's followers, having been detected Las Casas is said to have been the agent; and the discovery is said to have been made by the governor sir Hudson Lowe. Las Casas is reported to have, in consequence, been placed in close confinement, and Bonaparte himself to have been subjected to more severe regime—this is proper—but the carrying on such correspondence seems to be an act of absurdity and madness. For he cannot think that the continent of Europe would suffer his rule again—or that if they would, they have the power to bring him from St. Helena, *or that we should suffer him ever to leave that prison alive.*

☞Las Casas and his son have been *deported* to the Cape of Good Hope.

ASIA.

A dreadful epedemic prevails in many of the British provinces. "Every family is suffering in the loss of some of its members." The 66th reg. had 300 men, and the 87th 200 more in hospital, at Cawnpore.

The English flag still flew on Java, on the 1st of October last. The business of the transfer not then being finished with the Dutch, who were making arrangements for taking possession of the Moluccas.

The French are about to reinstate a college at Pondicherry, which is soon to be ceded to them.

The Wahabee Arabs have been subdued by the Turks, and compelled to guarantee the payment of the tribute, exacted by the delivery of hostages.—The "holy cities" of Mecca and Medina are now possessed by the Ottomans.

WEST INDIES.

The dreadful fever, which has so long ravaged several of the West India islands, still rages. Nearly 1000 men of the garrison of Bridgetown, Barbadoes, are said to have died of it

"PORTUGUESE AMERICA."

A letter from *Rio Janiero* says—"When the royal family are passing here, all must take off their hats—if on horseback dismount. Lord ——, formerly the English minister here, on the royal family's passing, refused to dismount; the king's guard immediately forced him from his horse. Mr. Sumpter, our American minister, refused to dismount—and being armed with his pistols, he told the guard he would shoot any one who attempted to arrest him. He got away from them, and continued mounted, being more resolute than the Englishman. Since this affair, his majesty issued a decree, which declares that dismounting is not required of foreigners, but only to take off their hats, which no doubt will be readily acceded to."

"SPANISH AMERICA."

The sloop of war Invincible, of Chili, commodore Jewett, with her tender, the ship Chili, lieut. Sirebner, arrived at Savannah, on the 14th instant, from the South-Sea. The Invincible carries 18 guns and 170 men; the Chili has 11 guns and 80 men.

Complaints are made that the patriot privateers, cruizing off Cuba, have lately plundered several neutral vessels. Com. Taylor had recently captured three Guineamen, one of which had on board a large quantity of gold dust.

The patriot gen. Marino is stated to have captured Cumana on the 6th of Feb. with the loss of between 4 and 500 men. After the general battle was over, from 700 to 1000 royal European troops retired into the fort, which was assaulted and carried by storm, and the whole of them put to the sword.

The Spanish authorities, on the coast of Chili, have behaved very badly to some of our vessels, putting in for refreshments. The consul general of the U. S. at Chili, Mr. Havel, has been arrested and sent as a state prisoner to the island of Juan Fernandez—the pretence is not stated.

It would now appear that the Buenos Ayrean com. *Taylor* has declared the whole of the island of Cuba in a state of blockade. This officer has distinguished himself for his good conduct to neutrals. He is said to have 12 or 13 vessels under his command.

A royal Spanish schooner was lately blown up in an action with one of Brion's squadron, and every one of the crew, 60 or 70 men, perished.

A letter from Cadiz, of the 11th of Feb. states, that the expedition of 15,000 men, destined for South America, was ready to sail, with an escort of a ship of the line and several frigates.

Law Case.

Commonwealth of Pennsylvania,
vs.
Nicholas Kosloff.

The grand inquest for the city and county of Philadelphia, having preferred a bill of indictment for a rape against Nicholas Kosloff, consul-general of his imperial majesty the emperor of Russia, a motion has been made to quash the indictment for want of jurisdiction in this court. Two causes are assigned for our want of jurisdiction.—1st. That the privilege of immunity from criminal prosecutions is conferred on consuls by the law of nations 2nd. That by the constitution and laws of the United States exclusive jurisdiction in all cases affecting consuls is vested in the courts of the United States.

1st. It is granted, that by the modern law of nations, ambassadors and other public ministers, are in general, exempt from criminal prosecutions.—Perhaps there are some offences, such as an attempt

on the life of the sovereign near whom they reside, which would warrant their punishment. But in every thing short of an extreme case it is more conducive to the peace and more agreeable to the usage of nations, to send them to their own sovereign, to receive from him the punishment they deserve. It has not been contended that a consul is a *public minister*, but it is said, that a consul general, such as Mr. Kosloff, is prohibited from exercising trade and commerce, and entrusted with important concerns of his sovereign, so nearly resembles a public minister, that he is entitled to some of his prerogatives, and in particular to exemption from criminal prosecution. In considering this case we must exclude from our view, the august personage to whom allusion was made in the argument. Concerning his high character, and the intimacy of the relations to be preserved with him, there is but one voice, one wish. These considerations would have their deserved weight in their proper place, but before us, there is only a naked question of right, in which all nations are equally concerned, for we cannot but see that what is granted as the right of one, must be conceded as the right of all. The law of nations is to be sought for in the usages of nations, in the opinions of approved authors and in treaties, and in the decisions of judges; with regard to the privileges of consuls, there is some difference of opinion, among respectable authors.—Wicquefort, Bynkershoeck and Marten's allow to a consul no privilege, against suits civil or criminal; and the reason they assign is, that consuls in no manner represent the person of their sovereign, but are sent for the purpose of assisting his subjects, particularly in matters of commerce, and some times of deciding disputes, which may arise between them, by permission of the government in whose dominions they reside, (see Wicqueforte l'Ambasdeur, book 1, page 65; Bynkershoeck *deforolegatorum*, chap. 10, page 110. Barbeyrac's translation into French, Marten's summary of law of nations, book 4, chap. 3d, sec. 8.) Opposed to them is Vattle, who although he does not assert that a consul is entitled to the privileges of a public minister, in general, is yet of opinion that from the nature of his functions, "he should be independent of the ordinary criminal justice of the place where he resides so as not to be molested or imprisoned, unless he himself violates the law of nations by some enormous crime." Vattle, vol. 2, chap. 2. sec. 34. I am not quite sure what is meant by violating the law of nations in this passage. Crimes against the law of nations, are sometimes understood to be crimes which all nations agree to punish—Such are murder and rape, among all civilized nations, and if that be the meaning of Vattle, his authority would not exempt the consul from the present prosecution. But what is of more weight than the judgment of authors, however respectable, is the opinion and the practice of our own government, and that of the foreign nations with whom we have had intercourse. We have had treaties with France, Spain, Great Britain, Holland, Prussia, and Sweden, in all of which the subject of consuls has been introduced, and in not one of which have consuls been protected from suits civil or criminal. I say nothing of our treaties with the Barbary powers, because there are special reasons why all nations who send consuls to them take care to provide expressly for their personal security. In the treaty with Great Britain, made in 1794, consuls are expressly declared to be subject to punishment by the law of the country in which they reside. By the consular convention with France in 1788, there is to be full and perfect immunity concerning the chancery and its papers, but the house of the consul is to be no asylum for persons or effects; and in our other treaties the most that is stipulated in favor of consuls is, that they shall respectively enjoy the same prerogatives and powers, that are granted to those of the most favored nations. Those treaties afford a strong proof of the usages of nations, for it cannot be supposed, that they should have omitted to secure consuls from criminal prosecutions, if it had been thought desirable or usual, to afford them that protection. But there is not wanting more direct proof of the opinion of our own government. In the "act for the punishment of certain crimes against the United States," passed April 30, 1790, penalties are inflicted on persons who sue out process from any court against an ambassador or other public minister; but the act is silent as to consuls. And what is directly to the point, the 9th sec. of the "act to establish the judicial courts of the United States," passed Sept. 24, 1789, vests the district courts with jurisdiction of offences committed by consuls, in which the punishment did not exceed a fine of 100 dollars, &c. &c. Neither are we left, on this importsnt subject without the light of judicial decision. Mr. Ravara, consul from Genoa, was indicted and convicted of a misdemeanor in the circuit court of the United States. He was defended by able counsel, who contended for his privilege, on the authority of Vattle. But the court decided against him, and it is worthy of remark that C. J. Jay presided, who had been long employed in a diplomatic function of a high grade at the court of Madrid, and was one of the ministers of the United States, who negociated at Paris, the treaty which established our independence. No person certainly had better opportunities of knowing the usage of nations, or a better capacity of improving those opportunities. From all these considerations, I cannot hesitate in the opinion, that there is nothing in the law of nations which protects the consul-general of Russia from this indictment.

2d. A more difficult question remains to be considered. Is the jurisdiction of this court taken away by the constitution and laws of the United States. Before I go into an examination of the constitution and laws, it may not be improper to say a word or two respecting the subject out of which this question arises An agent of a foreign government, accused of a crime committed in the state of Pennsylvania, claims not an exemption from trial, but the right of being tried by a court of the United States. His public relations are not with the state of Pennsylvania, but with the government of the United States, and if the emperor of Russia should suppose that he had cause to complain of our treatment of his officer, he must address himself not to the governor of Pennsylvania, but to the preisdent of the United States. But even where there was no cause of complaint, cases may be easily supposed, in which the president might think it more conducive to the peace of the nation to send a foreign agent out of the country to be punished by his own sovereign, than to inflict punishment on him, by our own laws. These considerations are so manifest, that when the people of the United States were about to form a federal government, through which alone they were to maintain an intercourse with foreign nations, it would have seemed a want of common prudence not to commit to that government, the management of all affairs respecting the public agents of those nations.—Let us now advert to the instrument of our fede-

ral union, and we shall soon perceive, that the statesmen who framed it, were perfectly aware of the importance of placing all foreign public agents, consuls included, under the complete superintendence of the federal government.—— It was through the judicicial power, that those persons could principally be affected. Accordingly we find it provided by the 2d sec. of the 3d art. of the constitution, that the judicial power shall extend "to all cases affecting ambassadors, other public ministers and consuls"—words more comprehensive cannot be devised. They include suits of every kind, civil, and criminal. This is not denied by the attorney-general of Pennsylvania, nor, as I understand, is it denied, that by virtue of this provision, congress has a right to declare by law, that in no case, civil or criminal, should a state court have jurisdiction over a consul. But it is contended, that until congress does by law declare so, the state court have concurrent jurisdiction with the courts of the United States; or rather, that in the case before us, the state courts alone have jurisdiction, because congress having passed no law defining the crime, or the punishment of rape, the courts of the United States cannot take cognizance of the offence. The constitution in the 1st sec. of the 3d article, declares in what courts the judicial power shall be vested, viz. in one supreme court, and in such inferior courts as the congress may from time to time ordain and establish. In the second section, it enumerates the different cases to which the judicial power shall extend, and then goes on to direct the distribution of that power among the different courts, "In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the supreme court shall have *original* jurisdiction. In all the other cases before mentioned, the supreme court shall have *appellate* jurisdiction, both as to law and facts, with such exceptions and under such restrictions as the congress shall make." Thus the judicial power, extending to all cases affecting consuls, and that portion of it which respects consuls, being vested in the supreme court, it follows that as soon as the supreme court was organized by law, it become immediately vested with original jurisdiction in every case in which a consul might be affected. But was this an exclusive jurisdiction? The opinion of the supreme court, in Marbury vs. Madison, 1 Cranch 137, goes far towards establishing the principle of exclusive jurisdiction. The point decided in that case, was, that where the constitution had vested the supreme court with appellate jurisdiction, it was not in the power of congress to give it original jurisdiction, and the whole scope of the argument maintained in the court's opinion goes to prove, that where the constitution had given original jurisdiction, it was not in the power of congress to give appellate jurisdiction. This will appear from the following extract from that opinion. If congress remains at liberty to give this court appellate jurisdiction where the constitution has declared their jurisdiction shall be original; and original jurisdiction where the constitution has declared it shall be appellate, the distribution of jurisdiction made in the constitution, is form without substance.—Affirmative words are often in their operation *negative* of other objects than those affirmed, and in this case a negative, or *exclusive* sense must be given to them, or they have no operation at all. If the solicitude of the convention "with respect to our peace with foreign powers, induced a provision that the supreme court should take *original* jurisdiction in cases which might be supposed to affect them; yet the clause would have proceeded no further than to provide for such cases if no further restriction on the power of congress had been intended. That they should have *appellate* jurisdiction in *all other* cases, with such exceptions as congress might make, is no restriction unless the words be deemed exclusive of original jurisdiction."

Now taking this to be the construction of the constitution, all those parts of the "act to establish the judicial courts of the United States," which vest jurisdiction in cases affecting consuls, in the district or circuit courts, would be unconstitutional and void; and if it was intended by the constitution, that no inferior court of the United States, should have jurisdiction, it cannot be supposed that the state court was to have it, because there are much stronger reasons for denying it to the state courts, than to the inferior courts of the United States. It will be perceived that the principle shakes the decision in the case of Bavara who was convicted in the circuit court, though not that part of the decision, which respects the privileges of a consul. But if the two cases cannot be reconciled, the circuit court must give way. Supposing, however, for argument sake, that the constitution does not vest the supreme court with *exclusive* jurisdiction, let us see whether congress has not excluded the states courts by the judiciary act, passed 24th September, 1789. By the 9th section, the district courts are vested *exclusively of the courts of the several states*, with cognizance of "all crimes and offences that shall be cognizable under the authority of the United States, committed within their respective districts, where no other punishment than whipping, not exceeding thirty stripes, a fine not exceeding $100, or a term of imprisonment not exceeding six months, is to be inflicted" Consuls are embraced in this jurisdiction, as plainly appears by considering the whole section, and as was declared by the court in *Manhardt vs. Soderstrom*, (1 Bin. 138.) Then comes the 11th section by which the circuit court are vested with *exclusive cognizance* of "all crimes and offences cognizable under the authority of the United States, except where the said act otherwise provides, or the laws of the United States shall otherwise direct, current jurisdiction with the district courts, of the crimes and offences cognizable therein." Does not this exclude the state courts from jurisdiction in the case of consuls.

The only argument attempted, or that can be devised in support of the negative, is that no offence is cognizable in any court of the United States until congress has declared it to be an offence, and prescribed the punishment. This is the only consideration which ever had the least weight in my mind—but upon mature reflection, I am unable to deny, that the courts of the United States can take cognizance, when I find it written in the constitution *that the supreme court shall have jurisdiction in all cases affecting a consul*—Is he not affected in criminal cases much more than in civil. How then can I say that the supreme court has no jurisdiction? But how, or by what law is he to be punished, in case of conviction? Shall he be punished by the law of Pennsylvania, where the offence was committed, in as much as there is no other express law which reaches his case, and it is on account of the *person only* that jurisdiction is given to the courts of the United States? Does the 34th section of the judiciary act apply to the punishment of offences, by which it is enacted, "That the laws of "the several states, except where the constitution,

" treaties, or statutes of the United States shall " otherwise require or provide, shall be regarded " as rules of decision in trials at common law in the " courts of the United States, in cases where they " apply?" May a person convicted in a court of the United States, of a crime of the highest grade, concerning which congress has made no provision, be punished according to the opinion of judge Story, in the *United States, vs Coolidge;* by fine and imprisonment, on the principles of common law? 1st Galleson's Rep. 488. Or is the constitution to be so construed as to exclude the jurisdiction of all inferior courts, and yet suffer the authority of the supreme court to lie dormant, until called into action by a law which shall form a criminal code on the subject of consuls? These are the questions which may embarrass those who have to answer them, but are not necessary to be answered here. No embarrssment, however, could equal that into which this court would be thrown, should it determine that no court of the United States has jurisdiction in a case which affects a consul *in every thing short of life,* when the constitution declares that the supreme court shall have jurisdiction *in all cases concerning him.* Upon full consideration I am of opinion that the indictment should be quashed, because this court has no jurisdiction.

Justice Brackenridge concurred on the second ground, declining to give any opinion on the first, as he did not deem it necessary.

Legislature of New-York.

THINGS FOR REFERENCE.

The legislature of New-York adjourned on the 15th inst. Among the laws passed were 24 for incorporating turnpike and bridge companies, 10 for erecting new towns, 1 for erecting a new county, 4 for incorporating banks, and several for laying out new roads.

But the most important law is that which provides for the immediate commencement of the canals which are to unite the lakes with the Hudson. The act authorises the commissioners to borrow money for this great work, and assigns certain revenues and taxes to aid the funds, expected to produce 300,000 dollars per annum. The following were the yeas and nays on the final passage of the bill:

In the assembly.

AYES—Messrs. Albert, Ambler, Barber, Barnes, Beach, Beckwith, Brown, Burgans, Camp, Campbell, Carpenter, Child, Cuck, Day, Dickinson, Duer, Eldridge, Faulkner, Finch, Fonda, Ford, Ganson, A. Green, Gros, Hammond, Hedges, Hilton, Houghtaling, Hulbert, Jackson, Larzelere, Lee, Marsh, Maynard, G. Miller, J. Miller, Mooers, Mott, Noble, Olmstead, Ostrander, Palmer, Pendleton, Pitcher, Pixley, Platt, Porter, Prendergast, Rochester, Roseburgh, Rosecrantz, Sears, R. Smith, Speaker, Taber, Turner, Wakely, Wallbridge, Watson, Webb, Wells, Wilcoxson, Williams, Wilson—64.

NOES—Messrs. Blauvelt, Callender, Carman, Cook, Corson, Crolius, Doty, Emott, Gale, Heeney, Jones, Kedler, Kissam, M'Fadden, Mann, Miles, A. Miller, Parsons, Pettit, Romaine, Russell, Sanford, Sargeant, Sherman, E. Smith, I. Smith, S. A. Smith, Squire, Stebbins, Tappen, Townsend, Victory, Warner, Webster, White, Wood—36.

In the senate.

AYES—Messrs. Allen, Bates, Bicknell, Cantine, Cochran, Hascall, Hart, Keyes, Knox, Mallery, Prendergast, Ross, Stranahan, Stewart, Swart, Tibbits, Van Buren, Van Vechten—18.

NOES—Messrs. Bloom, Bowne, Crosby, Dayton, Ditmis, Elmendorf, Livingston, Noyes, Ogden—9.

The supply bill (says the *Argus*) making the usual allowance to the members and officers of the legislature, &c. has passed both houses. It contains a clause allowing one dollar per day to the members, in addition to the four dollars already allowed by law, making the per diem compensation five dollars. On a division being taken on the question in assembly, the votes stood as follows—

AYES—Messrs. Albert, Allen, Ambler, Benton, Blauvelt, Bowen, Brown, Callender, Camp, Carll, Carpenter, Child, Cuck, Conklin, Coursin, Crolius, Doty, Eldridge, Faulkner, Finch, Ford, Ganson, A. Green, Gros, Hammond, Hawley, Heeney, Hopkins, Houghtaling, Hulbert, Keeler, Laizelere, Lee, Mann, Marsh, Maynard, Miles, G. Miller, J. Miller, Noble, Paine, Palmer, Pendleton, Platt, Porter, Prendergast, Rochester, Romayne, Roseburgh, Russell, Sanford, Sears, Sharpe, Sherman, E. Smith, I. Smith, R. Smith, S. A. Smith, Squire, Stebbins, Tappen, Townsend, Turner, Walbridge, Warner, Webb, Webster, White, Wilson, Wood—70.

NOES—Messrs. Barber, Beach, Beckwith, Campbell, Carman, Cook, Day, Dickinson, Emott, Fonda, Gale, Hilton, Jackson, Jones, Kissam, M'Fadden, A. Miller, Mooers, Mott, Olmstead, Parsons, Pettit, Pitcher, Pixley, Rozecrantz, Sargent, Speaker, Taber, Victory, Watson, Wilcoxson, Williams—32.

The bill for reducing the salaries of certain officers was lost by the disagreeing vote between the two houses.

Counsellor O'Garnish.

FROM A LATE LONDON PAPER.

We take shame to ourselves for not having sooner noticed the very able address to the court of king's bench during the last term, of a barrister from the sister kingdom, in the cause, *Serge against Sabretach.* The following is, we believe, a pretty correct report of it:—

"When I look around me, and above me, and below me, and dizzily ponder over the tide of time, which rolling through this elevated edifice, sweeps the mighty and the mean to one common bourne, whence, as the poet of nature informs us, no traveller returns—when I reflect that the court which I now address, nay perhaps the very segment of the seat I now occupy, was heretofore enlightened by that Aurora Borealis of legal effulgence, which formed a halo on the brows of a Dunning and a Mansfield, I feel rooted with terror to the ground, and paralyzed in my lower extremeties like the marbled thighed monarch in the Arabian tales. Would to Heaven that the red haired founder of this venerable hall had snatched Tyrrell's dart from his own bosom, and plunged it into mine, ere I had essayed this office! But the different epochs of our existence checks the wish!—My lords, my client, the plaintiff, is of the useful class of beings (nine of whom were heretofore supposed to constitute a man) who give broad cloth to the back—serge to the stomach—buckram to the body—thickset to the thigh! His manners are modest—his conduct is creditable—his shop shewy—and his residence is Ratcliffe. The defendant is an officer of dragoons, recently drawn from the purlieus of Pall-Mall, and quartered at Hounslow.—Luckily for him the days of drawing and quartering are over, or wrongs like my client's might justify the corporal partition.—It might be accident, it might be design, which caused captain Sabretach, on a visit to the Wapping docks, to lounge over Ratcliffe highway. Attracted by these words, "Serge, taylor and habit maker," he halted at the plaintiff's door. An elegant pelisse, with arms extended, hung swinging on the door post—he entered the shop and with a blandishment well suited to the perfidy of his purpose, he ordered a pelisse of the same workmanship and materials. The superb ornament started like the web of Arachne from the fingers of the plaintiff's journeymen, and on the Monday week following, the defendant issued from the Hounslow barracks, the envy and admiration of his booted brethern. His collar was of sable fur. "Get me a suit of sables," cried he, mimicking the march of the duke of Denmark; but when he would have added, " *devils wear black,*" the dæmon of darkness stuck in his throat. My lords, you are (and long may you continue to be) clad in the robes of office, and you know what fur is. When you reflect that the pelisse was of extra-superfine French brown

that hands of braids were buttoned on the bosom, with a fork of ditto behind: that the side seams were finely and fully figured; that the tassels were tamboured; and that frogs, presumptuous as those of Pharoh, enveloped the defendant from chitterlin to chine, you will not, I am sure, elevate your eye-brows with extra-astonishment, when you learn that the price demanded was seventeen pounds fourteen shillings and sixpence. The plaintiff was pressing—the defendant was dunned; but cash not being forth-coming, the plaintiff drew a bill of exchange for the amount, which the defendant accepted, payable at Messrs. Child and company's, Temple bar. The bill was presented when due, and was noted for non-payment. God forbid that I should impute any blame to Messrs. Childs and Company. Their answer was "no effects;" and after sedulous enquiry, I find that when a man has no money in a banker's hands, such banker is not bound to pay his drafts. This my lords, the defendant must have known. His acceptance, therefore, was a mockery of the lace merchant; it was buttering the bacon of baseness; it was thrusting the red hot poker of pertness into the already blazing conflagration of my client's grievances. The defendant had now thrown away the scabbard, and the plaintiff drew the sword. He issued out a writ, in the name of George the Third, of the united kingdom of Great Britain and *Ireland*—Ireland, in its unfathomed caves of despotism; that hapless tin-kettle, doomed to be eternally appurtenant to the tail of the dog of war. A declaration was filed, cautiously containing counts for goods sold and delivered, and for work and labor, with a notice to plead in eight days. Even now the plaintiff did more than by legal courtesy he was bound to perform. He *demanded a plea*—how primitive the process! *otherwise judgment*—how awful the alternative!

"This was contumeliously contemned: it was treated as *Brutum Fulmen*. But the plaintiff, my lords, was no mimic Jove, bantering and blustering from a bridge of brass; Serge, and not *Salmoneus*, was the antagonist whom the defendant was to cope with. The bolt was hurled, and interlocutory judgment was signed for want of a plea. At this stage of the proceedings, the plaintiff's attorney put into my unexperienced hands, an affidavit of the cause and action. The motion he wished me to submit to your lordships was novel and arduous. Seniors in silk, and Puisnes in prunella, would have shrunk from its experiment. But, full of my client's wrongs, and swelling like the Sybil with my subject, even so, humble an individual as myself now ventures to move your lordships—that it may be referred to the master to compute principal and interest on the bill of exchange upon which this action is brought!"

CHRONICLE.

The President.—We are given to understand, by the *National Intelligencer*, that the President of the United States, accompanied by gen. Swift, chief of the corps of engineers, by the general officer commanding in the several districts, and, occasionally, by a naval officer, will visit the posts northwardly, along the whole Atlantic border; thence to Plattsburg, and to Sackett's Harbor, and on to Detroit, and homeward through the country. He proposes to travel without his family, *as a citizen, on business*, and will refuse to attend to any public or private invitations which a respect for his public or private character may induce, as tending to break in upon his arrangements. A similar tour to the southward and westward is, also, contemplated.

Mr. Michaux has published at Paris, in English, his *North American Sylva*, or description of the forests trees of the United States, Canada, and Nova Scotia, in six half volumes imperial octavo, with 150 coloured prints. This edition, it appears from the prospectus, contains some additions.

The U. S. brig Boxer, capt. J. Porter, has sailed from New-York on a cruize in the Gulph of Mexico and the West-India seas.

In consequence of the alarm existing on the frontiers of Georgia, by the hostility of the neighboring Indians, gen. *Floyd*, who commands a brigade of militia in that quarter, has been authorised by the governor to adopt such measures for the safety of the people as he may deem necessary.

Dr. *Wheelock*, president of the Dartmouth college, New-Hampshire, died on the 11th inst. aged 63 years. He was distinguished for piety, learning and goodness of heart, and succeeded his father in the presidency of the college in 1779. His last act of munificence was a donation of $40,000 to the university which had long been the object of his solicitude.

The Romp.—On the 11th inst. in the United States district court of Virginia, judge Tucker presiding, the schooner Romp, with her tackle, guns, &c. were declared to be forfeited to the United States; for being employed in cruising against, and committing hostilities upon, the subjects of the king of Spain, &c.—On the 15th, Thomas Taylor, by his proctor, John Wickman, Esq. prayed an appeal from the decree, which was allowed, on or before the 1st of May, upon the security of 500 dollars.

Cold.—A letter from Bangor, Maine, dated April 4, says "snow here in the woods is three feet deep on a level, and it continues to freeze every night hard."

Gov. Shelby has declined accepting the office of secretary of war. It is well observed that "the good old patriot has no reputation to gain, no ambition to gratify, and thinks himself too far advanced in years to assume the details of a burthensome office."

Expedition. A new novel, in two volumes, containing 628 close printed pages, was put into the hands of a printer at New York on a *Wednesday*, and delivered by him complete to the bookseller on the following *Tuesday*, in time to offer it for sale, bound, at 6 o'clock in the evening.

Fast sailing.—The ship Pacific was only *seventeen* days on her passage from New-York to Liverpool. The brig Eagle has arrived at Baltimore from Cape Henry, Hayti, in *five* days from cape to cape.

Travelling.—The distance from the falls of the Ohio to New-Orleans is 1502 miles. A steam boat, with a full cargo, has performed the voyage in *seven* days work—the whole passage occupying *nine* days, two of which she was detained by grounding on a sand bar.

Exchange.—Though the banks have generally resumed specie payments, there is still differences of exchange. At New-York, April 19, they were given thus: South Carolina ½ to 1 per cent. prem. Boston, par to ¼ per cent. prem. Georgia, par; Philadelphia, par to ¼ per cent. dis. Baltimore ½ dis. Virginia, ¾ dis. North Carolina, 1 dis. New Orleans 2 dis.

Put-in-bay island.—A Mr. Edwards, at New York, is offering advantageous terms to those who will make actual settlements on this island. We had never heard of *Put-in-bay* until *Perry* anchored his victorious fleet in it.

The Rapidan.—Loammi Baldwin, esq. principal Engineer to the Virginia board of public works, has completed the survey of the North Branch of the

Rappahannock and commenced that of the Rapidan. The fall from the top of Hart's Dam, to the mouth of the Rapidan, a distance of 35 miles 102 rods, is 195 feet, 2 inches; and from the place of beginning to Fredericksburg, a distance of 50 miles, 157 rods, the fall is 310 feet, 4 inches.

Sugar.—It is stated that the culture of sugar in Louisiana, sold at $8 50 cents per cwt. has given to a Mr. Perrett $782 for the labor of each hand employed by him. This, however, is considered as the maximum.

New-York.—65,000$ were distributed from the *school fund* of this state during the last year. The return of the *militia*, exclusive of about 20 companies not heard from, give an aggregate of 106,880 men—viz. 97,639 infantry, 6,434 artillery and 2,807 cavalry. There are ninety-six *newspapers* printed in this state—8 daily, 8 semi-weekly and the rest weekly. "This is probably a greater number (observes the *Albany Argus*) than is published in the whole of Europe, if we except those published in the city of London.

Abolition of slavery in the state of New-York.—By a law passed on the thirty first of March, 1817, the final and total abolition of slavery within this state, is declared to take place on the 4th day of July, 1817. In this law it is enacted "That every negro, mulatto and mustee within this state born before the 4th day of July 1799, *be free;*" and by the same law it is further enacted, "that all negroes, mulattoes and mustees born after the 4th day of July 1799, shall *be free*;—males at the age of 28 years, and females at the age of 25 years.

The great canal.—From what we see in the proceedings of the legislature of New York, there is a strong probability that the mighty work of connecting the great lakes with the Atlantic by a canal from the Hudson to lake Erie, will be commenced. The project is considered as "easily practicable"—nothing but the funds seems wanting, and we should suppose that the immense utility of the work ought to command them.

Imprisonment for debt is abolished in the state of New-York for all sums less than 25 dollars, provided the defendant makes oath that he does not possess any property excepting such as is by law now exempted from execution.

Auburn. We have a pleasant account of the dedication of a church, at Auburn, N. Y. which cost between 16 and 17,000 dollars. A little while since the spot where the village stands was a wilderness.

Massachusetts—Gen. Brooks' majority for governor, it is supposed, is about 8000.

Rhode-Island.—Nathaniel Knight, rep. is elected governor of Rhode-Island. His opponent was gov. Jones.

CONNECTICUT ELECTION.

	1817.		1816.	
Counties.	WOLCOTT.	SMITH.	WOLCOTT.	SMITH.
Hartford,	2398	2900	1863	2504
New-Haven,	2108	1896	1464	1453
New-London,	1919	1138	1505	907
Fairfield,	2646	1523	1821	1154
Windham,	1394	1332	954	1482
Litchfield,	1708	2246	1339	2212
Middlesex,	961	949	678	837
Tolland,	816	906	657	865
	13,850	12,890	10,281	11,414

By the late destructive flood, which caused the Kentucky river to rise *fifty* feet, a damage was sustained estimated at one million of dollars. A great part of the loss was in tobacco stored on the shores of the river, and swept away.

Important Judicial decision.—At the late Superior court of law, of Johnston county, one John S. Tarr was offered as a witness and objected to, upon the ground of *defect of religious principle.* Witnesses were called, who deposed that, on divers occasions, Tarr had declared that he did not believe there was either a heaven or a hell! nor any future rewards or punishment! It was contended on the other side, that Tarr should be sworn to declare whether he believed in a God, and in a future state of rewards and punishments.

The judge, (C. J. Taylor,) said that, on the one hand, it would be incongruous to permit a man to be sworn, when the very question was whether he was qualified to swear; and on the other, that he agreed with those who held that a man shall not be compelled to declare opinions which go to disgrace and degrade him: he could not therefore permit a man to be exposed to such temptations to suppress the truth.

Tarr was therefore rejected as utterly incompetent to give evidence, and as a person to whose oath the law gives no credit.—[*N. Carolina paper.*

STEUBENVILLE, O.—By a census, taken on the 1st of Feb. ult. this flourishing town was found to contain 2032 inhabitants—viz. white males under ten years old, 517; between 10 and 45, 440; over 45, 94—white females under 10, 441; between 10 and 45, 403; over 45, 75—all other persons 62.

The town was first laid out in 1798—it contains 2032 inhabitants, 453 houses, 3 churches, a court house, a market house 170 feet long, with a town house in second story; an extensive woolen factory, and a very large paper mill, both worked by steam; an air foundery, a brewery, a steam flour mill, a steam cotton factory, a nail factory, &c. &c.

Prices current in Ohio.—A late paper gives us the prices current of several articles at Sandusky, Worthington, Columbus, Circleville and Chillicothe, O. At the first named, flour sells for $15; at all the rest from 6 *a* 6 50, and plenty. The price of corn bears the same proportion, being 150 cents at Sandusky, and 50, to 37, 33 and 40 at the other places; the price of common labor per day is 75 cents; carpenters, &c. 200.

Ice houses, and the freezing of water, wine, spirits, &c.

One of the greatest luxuries, and preservers of the health in this climate during the hot months of summer, is ice. It is, therefore, with pleasure we observe that ice houses are multiplying in this, and indeed all other towns, and that there are few country gentlemen without them. But the air pumps, constructed by professor Leslie of Edinburg, for the freezing of water and other fluids, appears to us more convenient and cheaper for family purposes than an ice house. We understand that this apparatus is sold in London for five guineas, sufficiently large for freezing a gallon of water in ten minutes. Mr. Leslie's apparatus has this superior advantage, that ice can be formed of any liquid whatever; besides that the ice which is formed from water by Mr. Leslie's pump is much purer than that of the ordinary ice house. At an entertainment given last summer at Bath, it is said that the wine was handed round frozen in the shape of small bunches of grapes.—[*Petersburg Intel.*

The magnetic needle.—It is a singular circumstance (says a London paper) that none of the almanacs notice the now returning direction of the magnetic needle towards the north; in the year 1657 it pointed due north, but has been 160 years increasing in declination westward; last year it attained a declension of 25, and then became stationary, and it is now receding back again to the north.

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Hæc olim meminisse juvabit.—Virgil.

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THE PRESENT STATE OF ENGLAND

Occupies the public attention, almost exclusively. That the condition of this country is most distressing and truly alarming, cannot be doubted—a scene of misery presents itself for which we have no parallel: but there is no hope of *reformation* by the voluntary act of those in authority, and *revolution* seems to be impracticable. The ministry and borough-mongers have armed themselves by the most despotic laws, and have the power to give them effect by mercenary bayonets. The soldiers have been so much accustomed to fire upon the people, that nothing remains for the latter but passive obedience, or a *desperate* resistance of force by force. It seems almost impossible that they should remain quiet, for hunger, it is said, "will break through stone walls," but they appear wholly destitute of the means and the men to afford any prospect of success in the dreadful alternative. If the wretchedness and suffering that belongs to so large a portion of the English nation, was settled and pressed upon those who have destroyed "*all places assailable*"—the royalty, "nobility, gentry and clergy," of the kingdom, no one would pity them; but we do pity the people—and yet, perhaps, so it is, that the poor must suffer to make the rich feel as they ought. We have chiefly appropriated this paper to shew the state of England, by the insertion of Mr. *Brougham's* speech on the "distress of the country"—which, long as it is, few will be willing to pass over without an attentive perusal, as it certainly contains a greater body of facts than ever before had been presented to view at one time. It was so received by all parties in the house of commons, where nothing but the reprehensions near its conclusion were objected to or denied, by several ministerialists who followed him. Many articles have been laid aside to make room for it, which shall be attended to in our next.

Materials for History.

The following article details an account of what was, probably, the most obstinate battle ever fought with the Indians. The history of it was passing to oblivion, with its actors; but it is happily rescued, in consequence of our project about publishing a collection of revolutionary papers, speeches, &c. It was communicated to the editor from a source that guarantees its authenticity—with the following remarks:

"Your intention to collect revolutionary documents is highly approved with us. It is in my power to furnish authentic papers in relation to important events heretofore imperfectly detailed; some of which, indeed, have entirely escaped the historian.

"I enclose you the original report (and a copy lest you may not be able to decypher it) of the battle fought at the mouth of Kenhawa, 10th of October, 1774. This statement is official, and was made on the ground the morning after the action; not more than five copies of it were preserved, and I have been credibly informed, that it is now the only remaining official document in relation to that important transaction.

Vol. XII.

"I do not know that my efforts may be within the scope of your plan to publish revolutionary speeches, orations, &c. but I propose to transmit you in the course of the year, *authentic documents* respecting the campaign led by governor Dunmore, with 1500 troops, against the N. W. Indians, in the fall of 1774; the left wing of whose army, consisting of 1000 riflemen, fought the battle at Point Pleasant, early in the same month in which the *first revolutionary congress* convened; also respecting an important battle fought at the "Great Islands," upon Holstein, by captains James Thompson and James Shelby with the Cherokee Indians, led by the celebrated chief "Dragon Canoe," in the summer of 1776, in which the latter was signally defeated—also respecting a campaign, led by col. Christian with 2000 riflemen, against the Cherokees in the fall of the same year—also respecting a campaign against the southern Indians, in 1779, led by general Evan Shelby, with 1200 riflemen—500 of whom were of the army of general Geo. R. Clark, which campaign terminated in the destruction of their establishment at "Chicamango," just above the "Muscle Shoals," on the Tennessee—also respecting two severe actions fought at the "Enoree" and "Cedar Springs," on the waters of Broad river, South-Carolina, in the summer of 1780, against a superior British force, by 800 riflemen, led by col. Shelby and the celebrated col. Clark, of Georgia."

☞Those things do not come within the scope of our design respecting *revolutionary* papers; but they are completely within the plan of the Register, itself, and will be gratefully received and promptly inserted.

Camp on point pleasant,

At the month of Great Canawa, October, 1774.

For the satisfaction of the public, in this they have a true state of the battle fought at this place on the 10th instant. Monday morning, about half an hour before sun-rise, two of capt. Russell's company discovered a large party of Indians about a mile from camp; one of which men was shot down by the Indians, the other made his escape and brought in the intelligence; two or three minutes after, two of capt. Shelby's men came in and confirmed the account.

Col. Andrew Lewis being informed thereof, immediately ordered out col. Charles Lewis to take the command of one hundred and fifty men, of the Augusta troops; and with him went capt. Dickison, capt. Harrison, capt. Willson, capt. John Lewis, of Augusta, and capt Lockridge, which made the first division; col. Fleming was ordered to take command of one hundred and fifty more, consisting of Botetourt, Bedford and Fincastle troops—viz. capt. Buford, of Bedford, capt. Love, of Botetourt, and capt. Shelby and capt. Russell, of Fincastle, which made the second division. Col. Charles Lewis' division marched to the right some distance from the Ohio; col. Fleming, with his division, up the bank of Ohio, to the left. Col. Lewis' division had not marched quite half a mile from camp, when about sun-rise, an attack was made on the front of his division, in a most vigorous manner, by the united tribes of Indians, Shawnees, Delawares, Mingoes, Iaways, and of several other nations, in number not

less than eight hundred, and by many thought to be a thousand; in this heavy attack col. Lewis received a wound which in a few hours occasioned his death, and several of his men fell on the spot; in fact the Augusta division was forced to give way to the heavy fire of the enemy; in about a second of minute after the attack on col. Lewis' division, the enemy engaged the front of col. Fleming's division, on the Ohio; and in a short time the colonel received two balls through his left arm, and one through his breast, and after animating the officers and soldiers, in a most calm manner, to the pursuit of victory, retired to camp.

The loss of the brave colonels from the field was sensibly felt by the officers in particular; but the Augusta troops being shortly (after) reinforced from camp by col. Field, with his company, together with capt. M'Dowel, capt. Mathews and capt. Stuart, from Augusta, and capt. Arbuckle and capt. M'Clenahan, from Botetourt, the enemy, no longer able to maintain their ground, was forced to give way till they were in a line with the troops of col. Fleming, left in action on the bank of Ohio. In this precipitate retreat col. Field was killed; capt. Shelby was then ordered to take the command. During this time, which was after twelve o'clock, the action continued extremely hot—the close underwood, many steep banks and logs, greatly favored their retreat, and the bravest of their men made the best use of them, whilst others were throwing their dead into the Ohio and carrying off their wounded.

After twelve o'clock the action in a small degree abated; but continued, except at short intervals, sharp enough till after one o'clock; their long retreat gave them a most advantageous spot of ground, from whence it appeared to the officers so difficult to dislodge them that it was thought most advisable to stand as the line then was formed, which was about a mile and a quarter in length, and had till then sustained a constant and equal weight of the action, from wing to wing. It was till about half an hour of sunset they continued firing on us scattering shots, which we returned to their disadvantage; at length night coming on, they found a safe retreat. They had not the satisfaction of carrying off any our men's scalps, save one or two stragglers, whom they killed before the engagement. Many of their dead they scalped rather than we should have them; but our troops scalped upwards of twenty of those who were first killed. It is beyond a doubt their loss in number far exceeds ours, which is considerable.

Field officers killed—Col. Charles Lewis and col. John Field. *Field officers wounded*—Col. Wm. Fleming. *Captains killed*—John Murray, Samuel Willson, Robert M'Clenahan and Charles Ward. *Captains wounded*—Thomas Buford, John Dickison and John Skidmore. *Subalterns killed*—Lieut. Hugh Allen, ensign Mathew Brakin, ensign Cundiff. *Subalterns wounded*—Lieut. Lard, lieut. Vance, lieut. Colman and lieut. James Robison, and about 46 spies, sergeants and private men killed, and about 80 wounded.

Mr. Brougham's speech.

HOUSE OF COMMONS.—MARCH 13.

Distress of the country.

Mr. Brougham, in rising, pursuant to notice, to bring this very important subject forward, said, when he considered that the period of the session was well nigh passed in which it was the custom of that house, at former periods of great national distress, to take into consideration the state of the country, and that during that period nothing whatever had been done to bring the matter before them, or to testify on their part what he considered a proper and becoming anxiety concerning such distress, he felt himself somewhat supported under the magnitude of the question. They had, in fact, allowed that interval to elapse, without doing any thing, except what he conceived to be, with all due respect for their proceedings, beginning at the wrong end. They had attempted to stifle the cries of the people, in their sufferings and distress, instead of probing the causes of those sufferings, or endeavoring to apply a remedy. He would put it, however, to all who then heard him, to those gentlemen, who might think with him, that the measures adopted were erroneous, and to those who believed them well founded, by the necessities of the times, whether the time was not now come when it behoved them to turn their attention from the effect to the cause; whether, having done what they could to preserve the public peace and tranquility, they ought not now to inquire into the means of remedying those disturbances. It was with that view he made bold to bring forward the present question; too late, he admitted, in reference to the general subject, but yet not too late, he hoped, to do some good. He was aware there was nothing so injudicious as to begin a discussion of that kind, by hazarding any large and general predictions with regard to what would be its result; nevertheless he would venture to say, he most confidently expected, whatever difference of opinion might exist upon particular topics, that a considerable majority of the house (if it should be necessary to take the sense of it) would agree in holding, that the time was now come, when, the war being ended, and great and general changes having taking place in the situation of the whole world, it was absolutely necessary for us to enter upon a careful and unfearing revision of almost the whole of our commercial system, with a view to eradicate those errors which time had demonstrated, with a view to retrace those steps where it was found we had deviated from sound policy, with a view to accommodate our laws to that change of circumstances, and with a view to abandon many frantic and senseless prejudices, unworthy the age in which we lived, and unworthy of the character and judgment of the nation. He should begin by entering upon what he considered to be the fundamental part of the inquiry that ought to be instituted.—They were all aware that there existed in the country a great degree of distress. He might, in general terms, say, that in its extent and amount it was wholly unprecedented in any former period of our history. It was, indeed, a matter of such general notoriety, that it would hardly appear necessary to enforce it by any particular proofs or illustrations, were it not, that unless the house were fully and deeply impressed with the precise degree of misery that prevailed in specific districts, it would in vain attempt either to probe its sources, or apply a remedy. He might infer, indeed, from the number of petitions that were presented (notwithstanding what had been urged respecting the mode of obtaining signatures to them) coming as they did from such a variety of places and persons, that they furnished a strong evidence in support of the assertion. He might appeal next to the state of our trade and commerce, as additional evidence, furnished by the returns laid upon their table. At the same time he was aware there was nothing more fallacious, generally, than arguments which were wholly founded upon our imports and exports,

and he would allow, that those returns did not shew the exact measure or extent of our distresses. But, as far as they went they were not unimportant documents; and it appeared from them, by a comparison between the two years 1815 and 1816, that there was a deficit in tonnage upon the latter year, amounting to 820,000, or equal to 5000 vessels. He spoke of the aggregate as referable to one year only of exports and imports; and that alone, he thought, exhibited a striking fact, when they considered that 1815 was the first year of peace, and 1816, in which that great diminution occurred, was the second year of peace. Those returns spoke as to the tonnage inwards and outwards, but they did not tell any thing as to the difference between the exports and imports of that period; a difference, which he would venture to say, instead of being in the proportion of 5000 vessels, would be found to constitute a defalcation vastly greater in amount.—He was well aware that many millions of goods had been sent abroad, for which no returns had been received, and which, in fact, would never produce a sixpence. The returns upon their table would give them no information upon that point; they would not show what proportion of those goods had already found a market, what proportion of them were yet likely to find a market, or what proportion of those imported into this country had found one. They had known times of great national distress in former periods, but nothing that could compare to the present in its general amonnt. In 1800 there was a great scarcity, greater than was now felt, but no distress ensued beyond what the reach of time could remedy, for though provisions were dear, workmen were in full work, and thus enabled, in some degree, to sustain the evil. In 1812 there was distress, accompanied indeed by a slighter pressure of dearth than in 1800, but by a considerable diminution in the rate of wages.—Wretched, however, as the circumstances were in which the manufacturing population of the country was then placed, yet when compared with the present misery, it actually rose into a period of prosperity. It would be necessary for him, and he hoped the house would grant him their indulgence [hear!] to go shortly into a few particulars respecting the great staple manufactures of the country, and they would then see how general and unvaried the distress was which now prevailed. He would first take the clothiers, which branch of trade, however, from accidental circumstances, was not so depressed as others of our great staples. One reason was, that some of the foreign markets did not happen to be over-stocked with that manufacture. He held in his hand the result of statements which he had received from several of the principal clothing districts in Yorkshire; he alluded to Leeds, Huddersfield, Wakefield, and Halifax. He had taken the number of men employed in those branches, which suffered the most, at 2,360 in August last; of that number one-third were now wholly out of employ, and of the remaining two-thirds, only one-third had full work; in other words, only two men in nine, at the present moment, had full work.—The distresses in other parts of that country were not so considerable; but in the clothing districts of the west of England they were greater than any thing that could be conceived. In passing to the iron trade, as carried on at Birmingham, and in the neighboring counties, a much more gloomy picture was presented; and Birmingham might be considered as a fair symptom of the state of the neighboring counties, connected as they were with it, in all the branches of their internal trade. Upon a population of 84,000, contained in that town, it was calculated that 27,500 or about one-third on the whole, were at this moment parish paupers. Of the workmen, one-third were wholly out of employ, and the poors' rates there, had risen to between 50 and 60,000l. a year—a sum, exceeding, as he understood, what was formerly paid by that town under the property tax. In 1812, a period of great distress, instead of one-third receiving parish relief, and only 27,000l. a year was paid for poors' rates, instead of nearly 60,000l. yet that period was then thought to be one of unparalleled difficulty. The population of Birmingham might be divided into four classes, in the view of their wages and labor. The first were the miners, employed in obtaining the raw material; the second, those who were employed in the manufacture of arms; the third, the nailors; and the fourth, the common artificers.—With respect to the first, who formerly received 18s. or a guinea a week, they could now get only 8s. or 10s. Those who were engaged in the manufacture of arms, and who used to receive sometimes as much as three guineas a week (though he admitted that was an exorbitant rate of wages, arising from particular circumstances) now received, when they obtain employment, no more than 7s 6d. The nailors, who commonly earned about twelve or fifteen shillings a week, were rather better off in comparison with the others, but their wages was now down as low as nine shillings; while the common artificers were absolutely working at one shilling a day. But the most remarkable proof of the degree to which the distress actually existed was to be found in the fact, that whereas the wives and children of the men who used to be employed, and whose wages doubled the earnings of the family, were now wholly unemployed. He did not wish to mingle any thing of a political nature with his description of these distresses, but he felt it due to the character of those unhappy persons to state (and he did so from the most accurate information communicated by individuals who did not coincide with him in political sentiments) that a more peaceable, loyal, and tranquil set of men was not to be found in the whole of his majesty's dominions [hear, hear, hear!]. It was painful to say, that great and severe as the distress was in Birmingham and its vicinity, the picture became infinitely more melancholy, when they looked at that great ancient staple of our country (ancient in comparison with the last mentioned) the cotton trade. It was well known to that house, that the cotton manufacture was divided into two branches—the spinning and the weaving; but the numbers employed in weaving was out of all proportion greater than those employed in spinning. In Lancashire alone there was at least half a million of persons who derived their support from the former. Their wages in 1800 were 13s. 3d. a week, taking the average of one thousand workmen. Those thousand in 1802 were paid at a still higher average, for it amounted to 13s. 10d.—In 1806 it came down to 10s. 6d. and in 1808, when it pleased the government to retaliate measures upon the enemy, and to quarrel with their best customers, it was as low as 6s. 7d. In 1812, when we pursued those measures still more closely, it fell still further, and was only 6s. 4d. In 1816, a year of peace, and while we were passing from that transition which had been so much talked of, it was 5s. 2d. that was in last May; and in last January, it reached the fearful point of depression of 4s. 3½d. per week, from which, when certain customary expences were deducted, little more than 3s. 3d. was left to support human life for seven days.—

When he heard of that unexampled scene of human misery, he was tempted to ask how it was possible to sustain existence under such circumstances, and whether it was practicable to administer charitable aid?—To the first question he received the painful intelligence, that those miserable beings could purchase, with their scanty earnings, no more than half a pound of oatmeal a day, which, mixed with a little salt and water, constituted the whole of their food. In answer to the second he was informed, that upon a calculation of what would be necessary to afford them only a slight nourishment, a little milk, beer and meat, in addition to their oatmeal, it appeared that no less a sum than 20,000l. a week would be requisite. To talk of charity therefore, was utterly out of the question; the case lay wholly beyond the reach of private benefaction, and if remedied at all, must hope for remedy from other sources. What was the consequence of such unexampled misery? Those poor wretches were compelled, for their support, to part piece-meal with the whole of their property, from the little furniture of their cottages down to the cloaths which sheltered them from the weather. They submitted to their half pound of oat-meal and their salt and water, upon a calculation, that if they sat up one hour longer at their work, they might earn indeed 1½d. more, a half penny of which would go to the purchase of a candle, and the penny would remain for themselves; but then, they would be the less able to go through their labor on the following day. To such a frightful calculation were they reduced, treating themselves like mere machines, and estimating by their physical powers, the utmost possible work which they could perform. At last, however, they were compelled to come upon the parish for relief. If from those particulars they ascended to more satisfactory evidence, they would find in all that had happened nothing but what might be expected to happen from the general signs of the times. First, he would refer to the great diminution that had taken place in the consumption of luxurious articles all over the country. He alluded to a diminution in that consumption as attested by the undeniable defalcation in the excise and customs during the last year. In like manner it would be found, that all districts which depended upon the manufacture of articles of luxurious consumption had suffered first. The case of Spitalfields was well known. The population of that place, after having exhausted the whole of the poors' rates, had received a sum with the voluntary contributions of individuals (which reflected the highest honor upon the charitable and liberal character of the metropolis)—[hear, hear!] equal to the whole rental of that parish, taken at a rack rent. There was an instance, indeed, of an estate in that parish, which paid nearly half its rent in poors' rates Even the ordinary and common luxuries of watches, shewed the extent to which the present difficulty and distress prevailed. It appeared from what an honorable friend of his had stated, upon a former evening, that a person in the town which he represented, was accustomed to travel in the watch trade, and that he usually visited about two hundred and thirty towns and cities in the course of a year, where he sold at least six hundred watches. Last year, however, making precisely the same circuit and visiting precisely the same places, he sold 41. Perhaps a stronger symptom could not be produced of what he had asserted, of the great diminution in the consumption of articles merely luxurious. Nor was the fact by any means peculiar to the watch makers of Coventry. In London as appeared from a statement some days since in all the public prints, there were now 3000 journeymen watch-makers out of employment; those who had employment could earn only one-fourth of what they were accustomed to earn, and during the last month only one sixth. The said persons also had been compelled to pledge tools used in their trade to different pawn brokers of the metropolis, amounting to 1500£. There were other trades in London suffering the same depression, for if he was not misinformed, there were at that present moment at least 18,000 journeymen tailors out of employment. Another symptom of the present distress, he took to be, the great discontent excited throughout the country by the introduction of new machinery. Formerly, when any machines were invented which dispensed with manual labor, though perhaps partial discontent might be produced at first, yet, as the workmen speedily found other channels of employment, which absorbed the disengaged population with its industry, it did not amount to any thing like what was created at the present moment. Now, however, the petitions upon their table, from thousands and tens of thounands of individuals, complaining of the introduction of machinery, testified, that when they were once thrown out of one employment, no other was ready to receive them, and that the capital which was saved by machinery no longer produced that healing effect which it was wont to do. When sir Rich'd Arkwright invented that mechanical apparatus which had proved of such infinite use to the country, though deprived many hundreds of their livelihood at the time, yet no particular discontent was excited. He (Mr. Brougham) had applied to two of the greatest cotton manufacturers in the kingdom, one in Scotland and one in England, for a calculation of the saving in manual labor, effected by that machine. The answer from both was so exactly alike (though neither knew that the other was asked) that he was justified in assuming it to be a correct calculation, and he was informed that one man was made to do as much as 100 men before. No violent discontent, however, was expressed at its introduction. But the case was very different now; and hardly knew whether to be sorry or glad at the change. Of late there had been an accession to the machinery of the country in the weaving trade, which, though not likely to throw so many out of employment as sir R. Arkwright's invention, yet bade fair to throw out a great number of those already wretched cotton weavers. He alluded to what was called the power-loom, by which one child could do as much work as two or three men. He would tell the house, however, what was likely to impede the further progress of mechanical improvement. It was now actually found, for the first time in the history of mankind, that the wages of labor were so low, and the distress so great, that manual labor was making reprisals on machinery, that it was coming in competition with machinery, and making it impossible for even one child to maintain its ground against the diminished claims of two or three men. There were other branches of manufacture, such as the printing trade and lace trade, threatened, if he might use the expression, with the introduction of machinery, and which not even the low rate of wages was likely to keep out. The last symptom to which he should allude, was the state of the money market. He was aware there were some who regarded that question in a very different light to which he did. He did not know whether the right honorable gentleman opposite (the chancellor of the exchequer) concurred in an opinion which was en-

certained by a high authority in another place; by no less an authority than the prime minister of England, and who was also at the head of the financial department of this country. That noble earl had indulged in the most flattering hopes, and derived the most favorable auguries from the late rise in the funds, which he was pleased to attribute, in some sort of way, which he (Mr. B.) could not comprehend, to the suspension of the habeas corpus act —[*hear, hear!*] That measure was considered by the noble earl, as at least favorable to the commerce of the country, whatever might be its injury to the constitution. But suppose he were disposed to turn the tables upon the first lord of the treasury, and ask him to look at the still greater rise in the funds after the report of the committee appointed to enquire into the contents of the green bag. That report first unfolded the existence of the Spencean system, which might be found to have some analogy with the funds, because, though the land holder, in that system was to be despoiled, the fundholder was still more violently denounced as a monitor that should not be suffered to exist. Therefore, if he chose to assume so trivial a principle, he might with more propriety argue, that the rise of the funds immediately after the promulgation of that terrible plot, by the committee, was at least a proof of the total disbelief, on the part of the fundholders, in the existence of any such plot. He should not, however, resort to any reasoning of that kind, but contend that the actual state of the money market supported the arguments he had already advanced. It was well known that there existed an unprecedented facility in obtaining discounts for bills at a short credit, at 4 and 4½ per cent. which could not have been procured two or three years ago. The stocks also had risen, and were now about ten per cent. nominally, more than they were two years since. What did all that prove? If he saw that there was any proportionate facility in raising money upon land at 5 per cent. that was, upon the very best security our law afforded—namely, a mortgage; he might be disposed to stop before he stated that that rise in the stocks, and that facility in obtaining discount for bills, was only a proof of the glut which prevailed in the money market. The fact was, there was more money in the market than could find employment in the trade of England, and no capitalist chose to allow his money to be more than six months beyond his reach. It was on the same principle that there existed the negociation for loans to foreign powers. One of these, namely, that with France, had been concluded, and there was little doubt but a very considerable part of the money advanced would be drawn from the capital of this country. America had also two negociations of a similar nature in progress, with the particulars of one he happened to be acquainted—it was what was called a stock operation, and would most probably be supplied from British funds, from the utter impossibility of employing the capital of the country in any encouraging speculation, either commercial or manufacturing. The only remaining point connected with that part of the question at which he should cursorily glance, was the rate of exchange, and he would only assure the house, that before he sat down, he should feel that he had entirely failed in the views he had taken of the question, if he would not bring home to the conviction of the house, that what was called the favorable rate of exchange, was but another proof of the depressed state of our trade—that it was the natural result of forced exportations, without any import in return. In France, for instance, owing to those exportations, and there being no import, and in the consequent demands for bills to make remittances, the twenty shillings British was raised between a 9th and a 12th higher than the par. When such was the unexampled embarrassment and distress under which these two great sources of national prosperity labored, it was futile to expect that such an unnatural state of depression should not affect, and severely affect, the agricultural interest. The only difference was, that as in the last year these effects were accompanied by a very superabundant harvest, and by the residue in the warehouses of the former importations of corn, at present they were in a degree qualified, partly by the measures adopted by the legislature, and partly by the advanced price, that the nature of the last season's crops afforded to the landholder. It was in vain to draw any line of invidious distinction between these our best and nearest interests, they must be all intimately affected by the progress and decline of each other, for it was well observed by one of the greatest ornaments of one of these classes, and who, from his success in trade, became afterwards an ornament of the landed interest, and from his great experience in both, became an ornament to letters, (he meant Mr. Child) that trade and land will both increase and decay with each other—when it was ill with trade land would fall—when well with trade land would flourish—[*hear, hear!*] The house would feel that it was much less difficult to describe the extent and intensity of the prevalent distress in all these branches of the public economy, than to give an accurate outline of the concurring causes that have produced these disastrous effects, separating also those that might have arisen from temporary circumstances, from those that were of progressive growth, must be supposed to be more deeply rooted and intorwoven with the system of policy that has been pursued. In this difficulty the better and more explicit course was to illustrate his opinion. It was true, from the nature of things it must be the case, that the transition from war to peace must have affected many branches of the public wealth. Some of a foreign, but the greater proportion of a domestic relation. There were two of these branches that must have been peculiarly injured by the change—namely, the provision trade of Ireland, and the manufacture of military weapons at Birmingham. The distress arising from such sources, it was easy to understand might be temporary, but at the same time it was to be recollected, that the occurrence of this temporary hardship, at a moment when a general depression in all the other branches, not under the influence of the same causes, was so sensibly felt—when it was impossible that the hands thrown out of employment could be absorbed in the general system—when there was such a general choaking of all the sources of national industry, it was not unnatural that distress, under more favorable circumstances of a transient character, might grow into a permanent system. We had only to look at other branches of trade besides those depending on war for their existence, to be satisfied that the depression was not circumscribed. The cotton trade, unaffected by the cessation of warlike pursuits, was as depressed as the very gun manufactory of Birmingham. In order to arrive at the true complexion of our situation, we must see fully the amount and extent of the evil. The more accurately we canvassed it, the more we would be convinced that it was of an universal description—that it was not only general, but searching—that there was not one filament or fibre, he might say, in the whole system of our economy, that did not feel its deadening influence, and was actually inert

in the exercise of its functions—[*hear, hear!*] It was almost unnecessary to add, that we had now approached the end of the third year since the transition from war to peace, and still no mitigation, but, on the contrary, increasing calamity; whilst in half that period, from the end of all former wars, the nation had recovered fully from those temporary effects that the change in our relations had produced. He would, therefore, take leave to mention, what appeared to him, after the fullest investigation of the subject, to be the real causes of the unnatural state in which the country, confessedly on all sides, was placed. He begged the house, in the first place, impartially to reflect on the line of policy which for years past, had characterised the public councils of the country. In referring to that policy, he should as much as possible avoid the more debateable ground of the question as it respected the continuance and protraction of war, and keep to points on which he was inclined to belive no very great difference of opinion existed It would seem that the practical politicians of this country, as they styled themselves, were long surrounded by a class of men, that blending a sort of political feeling with what was called mercantile knowledge, had considerable influence in guiding the councils of the nation; that it was an axiom, equally sacred as it was profound, with these sage instructors of the administration, that they could hardly do too much in discouraging foreign importations of all kinds and from all countries. To this remnant of the mercantile interest, as it was titled, they invariably adhered, by which it was to be all trade and no partnership—all selling and no buying—all was to be done for money, and nothing for goods—[*hear, hear!*] In favor of this doctrine, exploded years ago by every improved and enlightened mind, by every means, fair or foul, for the morality of these sound advisers in support of a constant balance of trade, was far from being rigid; it was marvellous to know that in this age, and in this country, the practical results of this repudiated jargon were still existing, and were traced in broad characters up to the very last year, in the enactments of the statute book—[*hear, hear!*] Year, after year, we were proceeding under such auspices, until at length, as was natural, we had deprived ourselves of all the great staples of foreign commerce—[*hear, hear!*] To the subversion of our carrying trade, we had succeeded in excluding from our warehousing depots, all the productions of foreign countries. The instances would strike the house as soon as they were stated in detail. To the opinion that he originally entertained on the corn law, he still adhered; yet in considering the development of that measure, it was easy to perceive the effect of that main sin in our commercial system with foreign nations. To be sure, he felt now as he did then, that those injurious effects would be compensated in that case by the higher consideration of insuring to this country a regular and safe supply of the great necessary of life, which no change of foreign policy, nor caprice of foreign governments, could impede or disturb—[*hear, hear, hear!*] Besides, it must be admitted, that even if that enactment was exceptionable as a general branch of permanent policy, it was fully justifiable as a temporary resource. There was also this further consideration, that the very existence of the unnatural depression in all the sources of national wealth, became a strong ground, at that particular moment, for its adoption. Recurring, however, to the details of the system to which the evils of the times were mainly attributable, he would first advert to the Baltic trade. That trade was of considerable interest to our shipping and our commerce—both in point of defence and gain, it was most valuable. It was so near, as to allow quick returns to speculators, and quick voyages for the nursery of our seamen. It was accompanied with a pre-eminent degree of security, from other causes not then necessary to mention. Yet of the four great staples of that trade, the two principal ones we had totally cut up. The two others, hemp and tallow, remained; but the importation of iron and timber had wholly disappeared. And for what objects had we sacrificed these great markets for our manufactures? For the sake of the money speculations of this country, we had placed on foreign iron a duty, equal to a prohibition, whilst, to prop up the importations from our North American colonies, we excluded the other great staple of the Baltic trade. Instead of leaving, as sound policy would have dictated, the money speculators of this country to their own fate, to thrive, if they could, by their own natural progress, we pampered them, gave an unnatural stimulus, and, in pursuit of a precarious gambling, and, in fact, most losing concern, abandoned an intercourse that increased your capital and employed your population—[*hear, hear!*] To Norway this country had long been in the habit of exporting manufactures to the amount of between 4 and £500,000, annually. That consumption has now ceased, Norway having no other means of payment to make than the iron and wood, which the modern policy had altogether excluded. We have done the same by the article of copper; and, looking to the supply that South America could give, we have shut ourselves out from that great continent. It was but a few nights past, that some allusion had been made to the act of last session, that imposed protecting duties on the importation of foreign butter and cheese; and in order to shew the house what little faith was to be placed in all those unsound calculations from all export and the high rate of exchange, he would merely mention the one fact—that the very day last session that these protecting duties were enacted, as true as the pulse responded to the beat of the heart, an increase of 2 or 3 per cent. took place in the city in the rate of exchange, while the imposition of these duties were admitted to be the only cause. The same pervere system characterized our commercial intercourse with France. Partly from political feeling, and partly from commercial views, there was a class of men in this country, who laid it down as a principle, from whence they deemed it almost irreligious to depart, to take no wine from France—though it was our nearest market, and ought to be our best customer, and though it grew the best wines, indeed the wines considered by some as the only drinkable, yet all importation thence was to be avoided, because, forsooth, France was our natural enemy, and Portugal our firm friend—[*hear, hear!*] In the true spirit of this creed, the right honorable the chancellor of the exchequer laid an additional duty on claret last session, not, as he himself professed, for the purposes of revenue, but to discourage importation as much as possible. It may, in the contemplation of this class of politicians, be a proof of a comprehensive policy in this manufacturing country to quarrel with its best customer; but to speak as a trader, on the suggestions of common sense, he could consider it, not in the light of sound policy, but dictated by a prejudice bordering on insanity itself—[*hear, hear!*] The next consideration that offered itself was the policy pursued respecting the linen trade. The carrying trade had no more beneficial support than what was afforded by the *new*

ort of foreign linens, yet on this most productive branch of trade we did not stop until we had imposed a 15 per cent. duty. The ground for this extraordinary measure was simply this—many nations prefer the purchase of foreign linens to our manufacture. We saw this, and said immediately they should not be gratified. To legislate we went, determined that an act of parliament, the very moment it received the royal assent, should make foreign nations change their taste to please us. What was the consequence? It was this—That those very nations that formerly repaired to British markets for foreign linen, and at the same time to complete their assortment in British goods, the foreign linens operating as a sort of decoy to the sale of our own manufactures, all at once ceased to visit our ports. They owed this country no allegiance, and directed their course to Hamburgh and Copenhagen, where they were enabled to obtain these foreign linens at a cheaper rate than they were in the habit of purchasing at in the British market. This latter advantage they were, however, inclined to forego. The opportunity of completing their cargo in British articles, being considered by them as a full compensation. The transit duty was imposed, and with it this valuable branch of our trade also disappeared. Such a scheme of perverse and short-sighted policy would have corresponded with the state of information that existed on the great principles of commerce 150 years ago. But what will the house or the country say, when, after almost centuries of experience, after the full knowledge that the events of the last twenty years should have imparted; yet as late as the year 1810, notwithstanding the utter absurdity of tenets such as these, they were made the ground-work of our trading policy, and were now realizing all their natural evils. He might mention the coal trade, on the export of which a duty of 70 per cent. was levied, and for which, without such a duty, we might find a market in France, provided we would take her goods in return. He might also dwell with effect on the unaccountable inconsistency of our laws regarding wool, on the prohibition to its export, though twist might be exported. Indeed, under all the circumstances, he thought it was not going too far to state, that the time had now arrived which called for a full and anxious review of the whole trading policy of this country—[*hear, hear! from all sides!*] That not only that policy demanded it, but our navigation system most imperiously required the same kind of prompt and accurate revision. Viewing that system in the light of defence as well as of wealth, it was his full impression that no time should be lost in receding from the severe adherence to its provisions. He was disposed to admit that it was a system originally founded in sound policy, though there were many theorists that denied its capacity of being ever productive of public benefit. It had, in his contemplation, anticipated by half a century, what must have subsequently occurred, the transference to this country of the commercial preponderance then held by the United Provinces. But whilst willing to admit its original recommendations, he could not help declaring his conviction, that we continue to adhere to its strict principles, one hundred years after the cause that alone justified it ceased to be operative. What was now passing in our West-India colonies afforded the illustration of its impolicy. Whether from orders from home, or by local suggestion, the true spirit of the navigation laws were in these colonies now displayed, a stop being put to the issue of those licences which authorized foreign importations into the West Indian ports. What course did America in consequence propose to take? She said, if you will not allow us to import in our own bottoms those provisions to your colonies, of which they stand in need, and without which, they would in extreme cases starve, we will, (retaliating on our heads the mischiefs of our own policy,) shut our ports against vessels either from or bound to those places from which we are excluded. That was the object of a bill now before congress, of which he had seen a copy. He knew also that a considerable alarm prevailed at present in the colonies on that subject. It was a striking specimen of that system that refuses to vary with human circumstances—that will not accommodate itself to the progress and changes of times and seasons, but keeps rigorously to what was once important though now inapplicable, as if time was standing still, and the events of history had no distinctive character (hear, hear, hear!). Seeing, then, the universal distress that pervaded every branch of the public economy, how our trade was cramped by the short sighted limitations of an unenlightened policy; what little relief, and even that little accompanied with some obstructions it had received from our negociations with foreign powers, there never was a period in the vicissitudes of this country, when, with so much propriety, it might be affirmed, that British commerce actually labored for its existence [hear, hear!] That when we cast our eyes over every point of the compass, and when scarce a solitary spot of comfort or of hope presented themselves, it was natural for that house, for our unfortunate brethren, now suffering under indescribable distress, whose industry bore us through the late eventful struggle,—for the whole population, pressed by the difficulties of a protracted war, and exhausted under its overbearing taxation, now cut off from those very supplies which the unnatural monopoly of the war afforded—it was, he would say, natural that they should all cast their eyes with eager expectation on some new source of recovery—some new opening for the exertion of their industry.—There could exist no opening so magnificent in promise—so calculated to realize the most sanguine hopes—so congenial to the most generous sympathy, and so consistent with the best interest of Britain—that he indeed must be more than a temperate—a cold reasoner, that did not grow warm when he adverted to the prospects of South America [hear, hear!] It was said by the eloquent historian (Robertson) who described the progress of the first rude invaders of that country, that when, after difficulties unexampled, amid privations almost insupportable, after a struggle with sufferings beyond endurance, when wearied, hungered and exhausted, they arrived at the elevated summit so long the object of that perilous toil; they stood at once motionless, in mute admiration at the immense ocean that presented itself to their longing view, and to the boundless territory that gave birth to all their fond calculations. The people of this country, after their long and dreary pilgrimage—after the dangers to which they have been exposed, and the difficulties they have surmounted, have had somewhat of the same prospect open to their view; and ought to be enabled, if any regard to the dictates of a sound policy exists—if any reverence for the maxims of our ancestors had its influence in our councils, to make a nearer approach to this inviting intercourse. There was too, that vast expanse of territory, comprehending every soil, and every climate, intersected by inland seas rather than by rivers, and studded with harbors, ample

room for the exertion of British enterprize. A country populous enough to raise every species of produce that we wanted, and yet not populous enough to threaten its continuance with any rivalry. It had that also, which was the patron saint of the class of practical politicians, to whom he alluded, great mines of gold and silver. Notwithstanding all that had been drawn from it, yet greatly productive, and, under European skill and ingenuity, capable of being made still further productive, such was the prospect South America presented. A prospect calculated to compensate every enterprize.—Though Europe was hermetically sealed against you—even though Bonaparte and his continental system was, as it indeed is, revived—though even Europe itself, in a commercial view, was blotted out of the map of the world, let no man suppose that this was the mere indulgence of fancy—he rested his statements on the perusal of documents of the most unquestionable character. The exportations of that country amounted to 18,000,000l. annually. Some portion of that amount found its way to this country, but it was, he with regret must say, decreasing daily under the impolitic course that in regard to that continent we pursued. He would state for the guidance of the honorable gentlemen opposite some facts, because he well knew that they would listen to nothing but in the shape of detail [a laugh, and hear, hear!] In the year 1802, there was imported into Cadiz no less an amount than eighteen millions and an half, twelve millions in bullion, bullion he would repeat, for the consideration of the practical politicians opposite and six millions in goods. The yearly coinage was twelve millions, of which Mexico gave seven. The population was computed at seventeen millions, of which New Spain was reckoned between seven and eight. Of that population, in the majority of districts, not one in three wear foreign goods. In New Spain not one in seven.—What an opening did this state of events afford to facilitate the introduction of British manufactures? You had here but to encourage the public taste for their use, as there existed no want of the power of repaying the purchase. If any proofs were wanting, the occurrences at Buenos Ayres furnished it, inasmuch as the two gluts of British articles into that section of the continent, though they proved fatal to the projectors, yet had been advantageous in diffusing a taste for the use and consumption of British manufactures. Were we to succeed in opening some of the other ports, the inevitable consequence would be, that this country would take off, not any stated amount of their exports, but an amount that almost deterred the imagination from calculating. With such a country inviting our approach—with no prejudice among its population hostile to our views—possessed of money sufficient to answer boundless traffic—how has it happened, that in times of such great pressure, this theatre has been overlooked [hear, hear!]. It was the execrable doctrine of legitimacy [hear, hear!]—that love of Ferdinand the seventh, that has precluded England from that natural connection with South America. We have abandoned all those to the political caprice of supporting Old Spain in her endeavors of subjugating the incipient energies of her now, thank God, almost severed colonies [hear, hear!] Instead of having our flag flying in every part of that extensive continent, we have been supplanted by a nearer power (the United States)—a power as active as ourselves, and wholly free from the incumbrances of these inconvenient doctrines and attachments which have so lamentably fettered the enterprize of Great Britain [hear!] In 1809 we concluded what was called the Apodaca treaty, in which we bound ourselves to uphold the integrity of the Spanish empire. It contained, however, another article, which has never since been noticed, viz.—that the two countries would lose no time in concluding commercial treaties. In 1814, after the conduct of Ferdinand had called forth, not the approbation most certainly of every enlightened mind in every country in Europe, it pleased our government to conclude a convention with Spain, in which was inserted an article, not what might be called an offensive guarantee, but by which every thing in the state of prevention would be thrown in the way of all assistance to the patriot exertions of the people of South America. In vain had the various provinces of South America, as they threw off the yoke of Spain, offered to us commercial advantages in exchange for our friendship. In 1814, stating as one reason why we ought to favor their cause, the long established character of England for justice, humanity, and love of liberty, they made the unprecedented offer of a monopoly of their whole trade for 25 years. In 1816 an offer of a similar nature was made by general Bonnival, then on his way to secure that independence for his country, which he (Mr. Brougham) hoped he had ere this achieved. All these offers were rejected. Sometimes they were treated with contempt. Impediments were thrown in the way of the trade between some of our own colonies and the Spanish main. But even these were capricious in their nature; for while the trade from Jamaica was left free, that from Trinidad was prevented. Let the house recollect, that the same treaty which our government understood bound to do all this, bound Ferdinand to do that which he had not done, and which it did not seem that he ever intended to do, namely, to abolish the slave trade. He did not say that we ought at once to go to war with Ferdinand because he had neglected to fulfil his part of the engagement between us; but he thought we had a right to know from him, when we had performed the conditions imposed upon us by the treaty in spirit and in letter, why he had wholly omitted to perform his conditions. So bigotted were the government of this country to the cause of Ferdinand that he (Mr. B.) had seen a memorial presented to our government by three respectable merchants, who having come over to England from Buenos Ayres on commercial business, and having completed their arrangements were on the point of returning, when they were stopped by an order signed by one of the under secretaries of state, refusing them leave to proceed on their voyage until they had also obtained the permission of the Spanish ambassador!—This was one of the fruits of that blessed measure, the alien act, and afforded a proof of the soundness of the argument urged by the opponents of that measure, that it might be used as a political engine, and in particular cases to gratify the wishes of foreign sovereigns [hear, hear!]. Last of all, in order to shew our attachment to the cause even beyond the letter and spirit of the treaty, which bound us to it, and our determination by every means possible to endeavor to extinguish the spirit of liberty and independence in the Spanish colonies, a representation had lately been made in the American congress, that the British minister at Washington had interfered to endeavor to prevent shipment being made to those colonies by American citizens [hear, hear!] He would ask the house, if they were prepared to patronize so inconsistent, so unsound, so oppressive a policy as that which, after having kept British commerce out of all the markets of Europe, would refuse to allow it a market in another quarter of the world, because thereby the despotic tyrant of Spain would be gratified [hear, hear, hear!]. He had already said, that our trade at home was depressed by excessive taxation. The house, he was persuaded, would give him credit for entertaining no disposition to argue this question on the ground of popular clamor merely. He only wished to show that the unparalleled

amount of our domestic taxation, necessarily kept our commerce in a state of thraldom which the commerce of no country ever before endured. In addition to the fallacy of supposing that it mattered not what impost might be laid on our goods sent to foreign markets, since its only effect would be to raise the price of foreign goods brought to those markets, was the fallacy of supposing, that because the money raised by taxes in the country, was spent in the country, the evil of taxation was not so great as it was generally believed to be. It was said, that if we raised 44 millions to pay the stockholder, the stockholder expended those 44 millions among us. But first of all, let the house recollect that these taxes were taken from one quarter to which they did not generally return. For instance, when a tax of twenty-seven shillings a cwt. was raised on sugar, that did not return to the consumer of sugar by whom it was paid—it went principally to those who in no way contributed to the benefit of the community. The hundreds of millions of which our debt consisted were lost for ever to the country. They formed a capital taken out of the hands of those who employed it profitably, and put into the hands of those who employed it unprofitably. He would state to the house a few facts illustrative of the evils resulting even to the revenue of our excessive taxation; and he thought the right hon. gentleman opposite would find from them that we had gone far to kill the goose that had been laying golden eggs, and that there was great truth in the assertion of Swift, "that in the arithmetic of the custom-house two and two did not always make four." He would begin with the sugar duties. The duties on sugar had been raised from 14*s.* to 27*s.* and if the price should be 40*s.* to 30*s.* a cwt. It would be found on examination that in three years, from 1803 to 1806, duties on sugar, amounting to 50 per cent. on the former duties, had been imposed. The average produce before that increase of duty was 2,778,000*l.* In 1806, instead of being augmented, the produce fell to a little more than 2,500,000*l.* Then with respect to glass—in ten years the duties on glass had been nearly doubled; the produce however remained nearly the same. It was evident therefore that there had been a diminution of a half in consumption, and an attendant diminution of every thing connected with the trade, and of all the other taxes which would have grown out of a larger consumption. The house had recently a history of the wine trade laid before them: since 1792 the wine duties had been trebled. It appeared, however, that even in the last year the produce of those duties in the port of London alone had fallen off by 338,000*l.* as compared with the two preceding years. Here, therefore, there was a great diminution of general trade, a great abridgment of the comforts of the people, and after all the revenue suffered by a direct as well as by an indirect diminution. When Mr. Pitt, by a wise and politic measure, in the year 1784, diminished the duties on tea from 56 to 12 per cent. the consumption was thereby so much increased, and smuggling so much put down, that notwithstanding the diminution in the rate of the duty, the revenue resulting from it rose considerably. When in 1787, the duty on wine and spirits was decreased 50 per cent. the revenue nevertheless remained the same; the trade, therefore, must have doubled, the comforts of the people have doubled, and other trades and other sources of revenue have been considerably benefitted. When the duty on coffee was increased in 1804 by 6*d.* or 7*d.* per pound, the consumption must have fallen off considerably, for it appeared that in 1804 the revenue from that article was 163,000*l.* while in 1805, notwithstanding the increase of duty it was only 142,000*l.* But when the duty was found to be overdone, and when, three parts in four being taken off, it was brought down from 2*s.* a pound to 7*d.* instead of the revenue falling in any thing like the proportion in which it had fallen when the duty was raised, at the very next year increased so much, that it was evident the consumption must have increased generally four or five fold, and in one part of the island (Scotland) ten-fold; increasing therewith benefits to the community and to the state of every description. It was not therefore on speculation, on theory merely, that he entreated the financial part of the administration to retrace their steps, and instead of thinking of any increase of taxation (an object which, by the bye, however they might think of it, they could never accomplish) to think of the best mode of diminishing it. It was only by such a retrogression that the coffers of the state could be filled, commerce restored to health, and general comfort and prosperity be re-established. The very collection of our present revenue, from its magnitude and nature, was of itself a great evil; and in order to prevent an evasion of many of the duties, we were compelled to give to some private companies, such as the West India Dock company and London Dock company a monopoly in certain articles, very injurious to the general interest. Delays too of the most pernicious consequence to our commerce were created at the custom house. It would be in vain to increase the number of land waiters and excise boards. The evil was essential to the system; and he would defy any government to collect such a revenue as that of Great Britain at the present moment, without the occurrence of difficulties and inconveniences as must hamper and distress every branch of our trade. He had now come to the last topic on which he should trouble the house. He feared that he had already trespassed much too long on their attention [hear, hear, hear!], but he could not prevail on himself to sit down without saying a few words on the subject. The house, he had no doubt, already perceived that he referred to the total abandonment of all care and regard for the commercial interests of this country, manifested by the British government in their recent continental negotiations. He would not merely ask why no arrangements had been made of the nature to which he alluded—he would ask why, after all our sacrifices and sufferings during the war, peace had returned without bringing back our foreign trade; and why, day after day, obstacles to our commerce arose in every part of Europe, in which, on the contrary, it ought to experience the kindest encouragement? It was not in France merely—a country which we had long been accustomed to consider as our rival, commercially as well as otherwise—that our trade enjoyed no facilities. In what country of Europe did it enjoy them? Was it not notorious that with these very allies for whom we had fought and conquered—in the support of whose cause we had expended our treasure, and lavished our best blood—we had not had influence enough to obtain the advantage of a single custom-house regulation in our favor? Had any thing whatever been done by our government? Had any thing even been attempted? He knew certainly that Russia had reduced her tariff since the termination of the war. But he knew also, that with respect to British commerce, it labored in that country under duties almost prohibitory; and that, from Memel to the southernmost part of Poland, along the whole Russian frontier, the trade carried on was almost entirely contraband, and maintained by Jews and others, to the utter exclusion of that fair and honorable traffic to which the British merchant was accustomed. In Prussia, also, duties of a prohibitory amount existed with respect to our commodities; and in the two ports under the Prussian dominion, a severe transit duty of eight and a half per cent. had been imposed on them. As to Spain—that country whose cause we had so warmly espoused—of the expences incurred in the defence of which by Great Britain, fifty millions yet remained to be audited—it appeared, after all our efforts in its behalf, our government possessed no interest in the cabinet of Madrid, political or commercial. This was a specimen of ingratitude on the one hand, and of imbecility on the other, disgusting as it regarded Spain, and humiliating and provoking as it regarded our own government [hear, hear, hear!]. As soon as the Spanish cortes were extinguished, and the beloved usurper came back, old monopolies were revived and new monopolies were established, all equally injurious to British interests. After the treaty concluded with admiral Apodaca additional impositions were laid on our trade. But the last and worst consideration was—that after the British government in the support of Ferdinand had gone further than was allowable in the representatives of a free and honorable country like England—after it had been guilty of the most indecent subserviency to his views—after it had abandoned the high tone which it had assumed against France in his favor—after it had looked on with indifference upon his iniquities—after it had condescended to become his parasite and to pander for him the degradation and slavery of his unfortunate subjects—how was it requited? In "a little month" after the signature of the treaty, an edict was issued by the court of Madrid, imposing new duties and prohibitions on British trade. The consequence of these additional measures of severity against us was, that our commerce with Spain was almost in a worse state than with any other country in Europe; the calculation being, that of our trade with that country only fifteen parts in the hundred paid duty, and that the remaining seventy-five parts were contraband. If the house turned their eyes towards Austria, they would see nothing but prohibition. Since that termination of the war, in which England had fought side by side with Austria, Austria by an increase of duty of five pounds (being a rise from five pounds to ten pounds) on every hundred and twenty pounds weight of cotton twist, below a certain degree of fineness, imported from Great Britain, had occasioned an almost total prohibition of the only article of British manufacture which she had been accustomed to receive. Instead of deriving honor and profit by our exertions to serve the continental powers, we had experienced nothing from them but disgrace and loss. He wished to call the attention of the noble lord to one particular circumstance; for it was very possible that some of those military gentlemen whom the noble lord had planted as consuls in the various ports of Europe, unaccustomed to commercial transactions, had failed, in their reports to government, to notice it. Did the noble lord now hear for the first time—and if he did—he (Mr. B.) was sure it ought to make a deep impression on his mind, to learn that punishment had so soon followed guilt—Did the noble lord now hear for the first time, the consequence of the two worst acts of that system of measures, of which the noble lord was the advocate in that house, as he had been elsewhere the adviser, was to make the very persons in whose behalf those acts were committed, set themselves in direct hostility to the commerce and prosperity of this country? If the noble lord had not before heard this, it would, perhaps, prove a useful lesson to him, and at any rate he (Mr. Brougham) trusted it would not be thrown away on public men in general, to state the facts on which he asserted with regard to those very individuals for whom the noble lord had sacrificed the honor of the country, and abandoned its sound policy with regard to foreign nations, and in whose behalf, after he had pulled down the usurper by whom they were threatened, he had plunged into the commission of the greatest political crimes—that they execrated the man who had been their accomplice in their infamous projects. He was sure that the noble lord's political conscience already whispered to him to what he (Mr. B.) alluded. He was sure that the noble lord knew that he meant to refer to his conduct with respect to Ragusa and Genoa—where the name of England had received a stain, that not all the victories of the duke of Wellington could wipe out, nor all the services of the longest life of the greatest minister that ever lived atone for [hear, hear, hear!] He would advert first to Ragusa, because it was the smaller state; and because, if political morality and political justice meant any thing, they meant that the rights and liberties of inferior states should be protected by the more powerful. If, therefore, the place in question were San Marino instead of Ragusa, he would cite the conduct which had been pursued as a still more flagrant instance of base dereliction of public principle. Ragusa had been, nominally at least, under the dominion of the Ottoman Porte. The Ottoman Porte was the ally of England. It had been said that the worst of all Bonaparte's atrocities was his attack on Egypt, he being at that time in alliance with the Ottoman Porte, and having therefore no motive for the enterprize but the love of gain and the lust of power; and it was well known that his sending Sebastiani to that country after the peace of Amiens, was one of the chief causes of the war that was so suddenly renewed. —But what had been our conduct in the occurrence to which

he was adverting? Were we at war with the Ottoman Porte? If not, did we consult the Ottoman Porte about the cession of Ragusa to Austria? What was still more important, had the Ragusese been consulted about that cession? Had we not, without the slightest regard to the rights of a free people, parcelled them out at our own discretion, and from the state of liberty which they were enjoying, had we not handed them over to that, which they at least conceived, to be a tyranny? Had they the slightest share in the deliberations of the congress? They had no minister there.—They had made no communication, nor had any communication been made to them. Their very existence was scarcely known, except by the gallant example which they had afforded in shaking off, without aid, the hated empire of France. And how did we requite them for this noble and successful effort? We, who had sounded the alarm to the uttermost corners of the earth against the despotism of Bonaparte, and who in the cause of liberty and independence had called on the people of the whole globe—on the Ragussse as on others—to seize the first opportunity of overturning his tyranny? We requited them by handing them over as slaves to a power which they detested [hear, hear!]! But let the noble lord, and let that house, and let the world mark how we were repaid for this most criminal act. The emperor of Austria, extending his commercial regulations to all his Italian states, absolutely shut our trade out of that very Ragusa which we had delivered over to him; and thus had the noble lord received his punishment on the very spot on which he had so shamefully sacrificed the honor of his country [hear, hear hear!]. But if any page of the history of the late transactions on the continent were blacker than any other, it was that in which were recorded the deeds of the noble lord respecting Genoa. In speaking on this subject, when he recollected the eloquence, the force of language, as well as of argument, and the authority of virtue (an authority ever deeply acknowledged in that house,) with which the cause of Genoa had once been advocated by a tongue now silent, but which used to be ever eloquent when public law was to be maintained, or useful truths were to be inculcated, he felt a still deeper regret that his lamented friend was not living to witness the noble lord's punishment for the conduct which he had pursued towards unhappy Genoa [hear!].—The petty tyrant to whom the noble lord had handed over that once free and gallant republic, after having called upon it to join the standard of liberty and independence, had laid it under the most rigid commercial restrictions—restrictions not directed against its trade generally, but especially and pointedly against its trade with this country. It appeared, therefore, that in public as well as in private—in state affairs as well as in the affairs of an humble individual—the old maxim, that "honesty is the best policy," ought never to be forgotten. In vain had the noble lord flattered himself that his subserviency to the unrighteous system which prevailed at the congress, would secure to him the adherence of the courts of the continent. Had he abandoned that system—had he acted in conformity to the principles of the country which he represented—had he advocated the rights and liberties of the people, the people would have been grateful.—Preferring the immediate interests and wishes of the courts, by the courts he was now treated with neglect. To the noble lord's crimes with respect to the people all over Europe—to his invariable abandonment of their interests—to his failure in affording them the protection which they had a right to expect, and which they did expect from the manly and generous character of England—were to be attributed the fact, that if the noble lord were at the present moment to traverse Europe in any and every direction; he would hear nothing but the execrations of those whom he had betrayed, and the mockery of those by whom he had been inveigled [hear, hear, hear!]. It was in vain to endeavor to deceive ourselves on this subject. Nothing could be more evident than that if, instead of lending our assistance to abuse, spoliation and tyranny, we had exhibited a noble, gallant and English spirit, in the cause of the rights of nations;—if instead of acquiescing in their narrow and wretched principles, we had done our utmost to liberalize and enlighten the sentiments and policy of the various courts—instead of the capricious and ruinous commercial regulations with which we were now annoyed, we should have had a number of constitutional governments in Europe, with sound views of policy, and with which we might have entered into arrangements, beneficial and satisfactory to all parties. Let the house compare the conduct of America towards this country, with the conduct of the king of Sardinia, of the emperor of Russia, of Ferdinand of Spain. From America we had no reason to expect peculiar favor. Her struggle for independence we had treated as a revolt. Successful in its issue, we had entertained towards the people of that country a feeling approaching to hatred. He did not wish to give the American government greater credit than it had deserved. It had, perhaps been foolish enough to cherish a little spite in return for ours. But the result had shewn that in all free governments the interests of the people must be consulted, and must eventually supersede every other consideration. Gradual advantages had been given to our commerce. The Americans, more beneficially employed, were by degrees allowing those rival manufacturing establishments to sink, which had been created in hostility to us, and it was probable, that with a trifling exception, the market of the United States would in a few months be entirely open to us. In France we might have done the same thing. We might at least have talked of, if we had not completed some commercial arrangement. But the policy which our government had pursued had destroyed every such expectation; destroying, as it had done, every favorable impression towards us. He appealed to every one who had been in France since the termination of the war—he appealed to several of the hon. gentlemen opposite—if they had not discovered in that country a most intimate connexion between the commercial and the political feelings of the inhabitants towards us? "While you have 130,000 men in arms in our territory," was their usual declaration, "we will not treat with you at all. While you rule us with a rod of iron, you shall get no gold from us by trade. While you continue to exact from us tribute at the point of the bayonet, you must give up all hopes of obtaining it through the medium of commerce." As long as this fatal policy should be pursued, so long would British commerce be excluded from the continent—excluded more completely than by Bonaparte's system, because now, for the first time, the ports of the continent were sealed against us by the governments, with the full and cordial concurrence of the people [hear, hear, hear!]. He hoped that this country might yet see the day when the steps which it had taken under the guidance of the noble lord towards its destruction should be retraced. He hoped that our government might yet pursue a more honest, a more liberal, a more manly, a more truly English policy; and that if no superior considerations were permitted to direct its proceedings, that at least it might be influenced by the rational expectations of advantage which such a mode of conduct must invariably inspire. The honorable and learned gentleman here concluded a speech which took up three hours in delivering, with moving the following resolutions:

"1. That the trade and manufactures of the country are reduced to a state of such unexampled difficulty, as demands the most serious attention of this house.

"2. That those difficulties are materially increased by policy pursued with respect to our foreign commerce, and that a reversion of this system ought forthwith to be undertaken by the house.

"3. That the continuance of these difficulties is in a great degree owing to the severe pressure of taxation under which the country labors, and which ought, by every practical means to be lightened.

"4. That the system of foreign policy pursued by his majesty's ministers has not been such as to obtain for the people of this country those commercial advantages which the influence of Great Britain in foreign courts fairly entitled them to expect."

Suspension of the Habeas Corpus.

HOUSE OF LORDS.—MONDAY, FEB. 24.

The habeas-corpus suspension bill.—Viscount Sidmouth rose on the order of the day to move the second reading of the bill to enable his majesty's ministers to provide for the protection of the throne and government, by the power of apprehending and securing all persons reasonably suspected of a design to overthrow the constitutional government. He had particularly to call the attention of the house to three prominent features in the report: first, the conspiracy to overturn the government, and resort to general plunder; 2dly, the extension of the conspiracy to various parts of the kingdom; and 3dly, the declaration of the committee that further provisions were necessary for the protection of the public peace. He adverted to clubs for reform, observing, that although reform was in their mouths, revolution was in their hearts. The first disturbance of the peace took place at Spafields on the second December, when it was necessary to employ the military to assist the civil power. He also called upon their lordships to afford protection to the illustrious personage who on the day of the meeting of parliament, was not only insulted, but his sacred person endangered. He enumerated the laws it would be necessary to enforce, particularly the 39th of the king, forbidding clubs and unlawful meetings. He lamented the necessity for restraining the liberty of the subject, but considered the bill indispensable for the protection of the throne, and that for which the habeas corpus suspension bill was originally framed, namely, the protection of the liberties of the constitution, and to prevent the commission of crimes. He concluded by moving the second reading of the bill.

The marquis of Wellesley observed, the country had been suffering for some time past, under that distress which, as lord Bacon had described it, was the true legitimate parent of sedition; and, under these circumstances, was it extraordinary that symptoms of disaffection had shewn themselves among a part of the population. Restraint, however, was the best protector of liberty, and the law must be made strong enough to meet and grapple with the

evil. But it was not a slight disturbance, or even treasonable practices, if confined within a certain extent, which would justify a departure from the established constitutional law. There must be a strong case of necessity made out before such a measure could or ought to be adopted.

As far as this measure went with respect to preventing meetings, and adjournments of meetings, it had his support, as well as any measure tending for the preservation and safety of the prince regent, but he could not go to the length of agreeing to the suspension of the habeas corpus act. He had not at present such evidence as would justify his going that length.

The noble secretary of state had said, he should have considered the attack on his royal highness as sufficient grounds for proposing this measure. If the noble lords could have made out this attack on his royal highness to have had any connection with the Spafields meeting, it was a serious charge against them that they had not stated it to the house. The noble lord might smile, but he had better answer with his speeches than his insolence.—*Order, Order!*

Lord Liverpool had no intention to offend the noble marquis, but, he would not be bound to manage his smiles according to the dictates of the noble marquis, or of any other man alive.—*Hear, hear!*

Lord Liverpool agreed with the noble marquis that it was not for every instance of treasonable practices that the habeas corpus should be suspended; but if the house believed the report at all, there was proof that a widely spread conspiracy did at present exist: serious circumstances had come to light, even during the time the committee was sitting: and the noble lord observed, he believed the conspiracy was more extensive, and more malignant than it was in 1794; and if ever there was a case which justified the suspension of the habeas corpus act, he believed the present case did.

Lord Grey contended that the measure now proposed was an unnecessary attack upon the liberties of the people:—That the disaffection which existed in the country was the offspring of distress, occasioned by the peace which had been concluded on the continent; and that the nature of the conspiracy was known, the conspirators in custody, and that the existing laws, to which he trusted they would soon be delivered over, were fully equal to their punishment.

The duke of Sussex and lord Holland strongly condemned the measure:—Lord Grenville and the duke of Gloucester defended it.

The house then divided—for the second reading, 150—against it, 35—majority in favor of the bill, 115.

The bill was then committed, reported, read a third time and passed.—Adjourned.

HOUSE OF COMMONS.—WEDNESDAY, FEB. 26.

Habeas corpus suspension bill.

Lord Castlereagh moved the first reading of the bill brought from the lords for suspending the habeas corpus act.

Mr. Bennett took the earliest opportunity of entering his protest against the mischievous tendency of the bill; and to express his surprise after what had passed that night, that the noble lord should not have deemed it expedient to inform the house of the necessity for the adoption of the measure.—He regretted that his hon. friend (Mr. Ponsonby) should have allowed himself to sit in the same chamber with the noble lord; for he was a person, after what had passed, not fit to be trusted; and he could assure the noble lord, that if he had named him (Mr. B.) on the committee, he would not have sat with him. He was ashamed of the report, which deserved to be trampled under his feet. [*The hon member here literally carried into effect his opinion, by throwing the printed copy on the floor.*] Into whose hands was this power to be put? Into those who were already stained with their country's blood.

Lord Castlereagh rose to order. If the hon. member stated that he had imbrued his hands in blood unjustly, it was false.

Mr. Bennett had no hesitation in stating that he meant the expression generally, to apply to every one of the government who was in power at the time those dreadful scenes took place in Ireland.

Lord Castlereagh said he had no right to complain, after the explanation given by the hon. member; but in a parliamentary sense, he must still repeat what he had said before.

Mr. Bennett said, the cruelties which he had alluded to, and the tortures, were committed in Dublin castle yard, under the eyes of ministers.

Lord Castlereagh trusted the house would not suffer the hon. member to pursue such a course. It would be open to the hon. member to bring forward any charge against ministers, if he thought proper.

Mr. Bennett hoped the house would excuse the heat of debate; and concluded by declaring that he would oppose this bill and that for the suppression of seditious meetings. To the others he would give his assent.

Lord Althorp had no objections to the bills for the security of the regent's person; for punishing the seduction of the soldiers and sailors; or against seditious meetings for a limited time, provided the meeting should be tolerated—where they dispersed in an hour if required. But he could not give his assent to the bill for the suspension of the habeas corpus act, because he did not think any grounds had been laid for it.

The lord advocate of Scotland, stated, that on the 23d January, he was informed that a secret conspiracy was formed, and cemented by an oath, to persevere in obtaining for all the people, annual parliaments and universal suffrage by moral and physical strength; and that the punishment of *death* be inflicted on any one who informed of any of the members. This society was formed in Glasgow, and the oath was administered to many hundreds in Glasgow and its neighborhood. A motion was made to expunge the punishment of death from the oath, but it was rejected; and he had the pleasure to state that many had been taken up; but there were others in a different sphere of life in communication with this traitorous committee; but against whom the evidence was not yet strong enough to warrant their apprehension. The traitorous committee was in communication with societies in England, and had spread widely over Scotland For these reasons, and to save the effusion of blood, he thought it necessary that, for a time, and for a short time, the great bulwalk of the constitution should be suspended.

Sir S. Romilly could not give a silent vote on this important question. All were agreed that great danger did exist in the country; and the only question was, whether the remedy now proposed was that which ought to be adopted? and whether all existing means of putting an end to the evil had been tried? He feared the proposition now made to take away the great bulwark of the people's liberties, would not increase their confidence. He could not consider the house justifiable in adopting the mea-

sure now proposed, till the effect of the existing laws had been fully tried.

The solicitor general defended the conduct of the law officers of the crown, and contended that the existing laws had been put in force as far as they beneficially could be. The habeas corpus act, on former occasions, had been suspended when all the present existing laws were in existence; and if the danger was as great as he considered it, he was persuaded the laws at present in existence were not sufficient to meet it.

Sir. F. Burdett congratulated the noble lord (J. Russel) on the manly manner in which he had that night come forward in the support of that liberty for the establishment of which, his revered ancestor lost his life. The grounds of the present measure as he understood from the speech of the learned solicitor general, was the fear of the Spencean system. Poor Mr. Spence, who has been dead upwards of 25 years, never during his life, thought he should be a person of so much importance as he was now made. In his opinion, however, it was not from the Spence system that we had to apprehend danger but the *Expence* system—a system which ministers determined never to abandon, since when it was proposed only to give up to the cry of the people a lord of the admiralty, the noble lord stepped forward, crying out that for the safety of the constitution and the country, they must make a stand and refuse the boon which the people asked. The learned solicitor had also talked of the French revolution. We did not wish to stand on the French revolution, but on the English constitution. He also talked of the profaneness of those times of revolution, He (sir. F.) had also heard of that profaneness; but he could not but think it had been equalled by the miserable farce played off in our churches a few weeks since, where prayers had been offered up for the safety of the prince regent, against a pestilence walking abroad. He knew of no pestilence existing except that which was met at every corner of the street in the shape of taxation. With respect to the proposed measure, the noble lord might carry it—he might erect a gallows in palace yard, or even in the lobby of the house of commons, but he could not entirely stop the mouths of the people, unless he could shut them all up in prison; and to do this he must erect new prisons in every quarter, for those at present in existence, were already filled by the distresses of the times. With respect to the report, although he had a great respect for several of the members who formed the committee, he could not agree with them as to the danger which existed.

Lord Castlereagh maintained, that the hon. bart. was pursuing a course which better suited with his electioneering views. *(hear hear!)* Was he to be told that the country was not surrounded with danger? He disclaimed the bill on the part of the crown, as a measure of punishment. What he wished to know was, whether a conspiracy really existed; and if so, whether this was a proper remedy to correct the evil? If government was not armed with this measure, the house would place the country in the most painful, bloody and disastrous state. *(hear hear!)*

Lord Lascelles supported the bill, and lord Stanley and Cochrane opposed it.

The house then divided on the question, for the first reading—ayes, 273—noes, 98—majority 175—The bill was then read a first time, and ordered for a second reading on Thursday.

Thursday, Feb. 27.—After a few remarks from Mr. Curwen, in opposition to the bill, it was read a second time, and ordered to a third reading on Friday. In the coure of his remarks, Mr. C. said that he did not believe there was a man in the country who did not wish parliamentary reform. Could any man, looking to the statement of the speaker, who had declared that the sale of seats was as notorious as the sun at noon, say the people were not justified in expressing opinions that parliamentary reform was necessary.

Friday, Feb. 28.—After a few additional remarks from the friends and opponents of the measure, the habeas corpus suspension bill was read a third time and passed—ayes 265—nays 103—majority in favor of the bill, 162.

Foreign Articles.

ENGLAND, &c.

Parliament.—Lord Holland has given notice of a motion for the production of papers relative to the treatment of Bonaparte, who has bitterly complained of ill usage. 120,000 men have been voted for the army, for six months. A motion to abolish *sinecures* was negatived in the house of lords——ayes 5, noes 45. Lord Cochrane has given notice that he will bring forward a motion to reduce the interest of the national debt.

The act for suspending the habeas corpus received the royal sanction on the 4th of March. All the "Grenville party" in parliament voted for it. The following is a list of the lords who voted against it: Dukes of Sussex, Somerset, Bedford and Argyll; marquis Wellesley; earls of Derby, Thanet, Essex, Albermarle, Grosvenor, Rosslyn, Grey, Laroley, Lauderdale; viscount Torrington; lords Say and Sele, St. John, Montfort, Holland, Tolev, Auckland, Alvanley and Erskine. And by proxy—the dukes of Devonshire and Leinster; marquis of Downshire; earls of Jersey, Cowper, Waldegrave, Darlington and St. Vincent; viscounts Anson and Clifden; lords Byron and Ponsonby.

Many arrests had already been made under this act. An information is said to have been lodged against *Cobbett*.

The nature of this suspending act may be gathered from the following proceedings in the house of commons, on the 28th of February:

The third reading of the bill to suspend the habeas corpus was ordered by a majority of 265 against 103.

Sir Francis Burdett proposed an amendment, that no person should be imprisoned in a damp or unhealthy dungeon; that they should have the benefit of air, fire and exercise; that they should not be loaded with irons; that they should have liberty to address petitions to the king and two houses, and to see their wives and children.

Mr. Ponsonby moved that the suspension should only continue to the 1st of May, instead of the 1st of July.

Another member moved, the suppresion of the clause which permitted the transfer of a prisoner from one prison to another. The attorney general opposed, by observing that it might be useful to remove a prisoner from those who might hold intelligence with him. All these amendments were successively rejected and the bill adopted.

Abstract of the suspension bill.—The act for suspending the habeas corpus act, after a preamble in the following words, "Whereas a traitorous conspiracy has been formed for the purpose of overthrowing, by means of a general insurrection, the established government, laws and constitution of this kingdom: and whereas designs and practices of a

treasonable and highly dangerous nature are now carrying on in the metropolis, and in many other parts of Great Britain," proceeds to enact, that for the better preservation of the persons of the king and prince regent, and the peace of the kingdom, all persons imprisoned at the time of the passing of the act, or after, in that part of the kingdom called Great Britain, by warrant of the privy council, or of any of the secretaries of state, for high treason, suspicion of high treason, or treasonable practices, shall be detained in safe custody, without bail or mainprize, until the 1st day of July next, and until that day no judge or justice of the peace shall bail, or try such person, without order from the privy council. The act then expressly suspends the "act for preventing wrongous imprisonment," &c. made in 1701, for the period abovementioned, and among some other provisions, requires that persons imprisoned for the causes mentioned shall be kept separate, and prevented from communicating with one another.

☞See the proceedings on this bill in the preceding pages.

Execution of Cashman.—The London papers give us a voluminous detail of the execution of Cashman, a sailor, convicted of being concerned in the riot on the 2nd of Dec. He was hung in Skinner-street, opposite the house of a Mr. Beckwith, which, it is said, he and others had entered, and plundered —of arms.

The preparations for this execution shewed much apprehension of a rescue, which was probably designed. Regiments of constables and regiments of soldiers surrounded the spot, and the avenues to it were also guarded.

Cashman met his fate with astonishing firmness, and seemed only to regret that, after having faced death so often in the cause of his country, he should be carried through the streets like a vagrant and hung like a thief. He bid "good bye" to all that he knew with the off-hand carelessness of a sailor, bound upon an ordinary voyage. He loudly complained of having been defrauded by merchants as well as by the government of his hard earnings—£200 was due to him from the latter, which he bequeathed to his brother, &c. As he passed through the streets, the mob expressed their feelings by groans and hisses—which he joined, often crying out, "huzza my boys; I'll die like a man." Arrived at the spot, he refused the religious exhortations of the priests, saying, "dont bother me—it's of no use; I want no mercy but from God." He resisted the drawing of the cap over his face; he wanted to see the last of it! At this moment he turned to Beckwith's house, and threatening, observed, "I'll be with you there," meaning he would haunt it after death. He told the crowd he was a murdered man—and cried out "now, give me three cheers when I trip." Then calling to the executioner he said, "come Jack, you ——— let go the jib-boom." The drop fell, and he died without a struggle. A dead silence prevailed for a moment, when groans and hisses, murder, murder, and shame, shame, were heard from every part. The execution took place on the 12th of March.

Meeting at Manchester.—The 10th of March was appointed for a meeting of the people at Manchester, for the purpose of marching to London! The arrivals from the adjacent parts were estimated at 60 or 70,000 men. 20,000 were embodied, many of them provided with knapsacks, containing blankets and little stocks of provision. The activity of the magistrates, however, assisted by the military, defeated the design, and 200 of them were arrested and sent to prison. The people were unarmed, but are said to have expected that 25,000 muskets might be had at Birmingham. Some persons have been arrested on charges of high treason.

Arrests at Glasgow.—Several persons have been arrested at Glasgow on the charge of conspiring against government and administering unlawful oaths. The military fired on the mob attempting to rescue them.

The princess of Wales, the wandering wife of the regent, it is said is about to return home. Another account says she is to visit Persia.

Rice.—The duty on American rice is to be reduced 12*s.* 6*d.* per cwt.—being put at the same rate as if received from British plantations. Grain, generally, has advanced a little.

Stocks—at London, March 13, 3 per cents. 69—they had been as high as 71. American stocks are at par in London.

The famous *William Cobbett*, apprehending a lodging in a dungeon after the suspension of the *Habeas Corpus*, is said to have effected his escape and to be hourly expected at New York. A person was fined 10*l.* for selling one of his papers.

Exchequer bills. It has been proposed to issue 18 millions of new exchequer bills at 2½*d* to redeem a like amount of old bills at 3*d*, by which a saving of from 3 to 600,000 is talked of.

Ireland.—Riots are frequent here also. The people are suffering for bread. The military often fire upon the starving populace.

Scraps—A meeting to petition for the dismissal of ministers was held in Westminster. Public officers have been invited by government to yield portions of their salaries for the wants of the state.—A complaint has been made to parliament against king Christophe, for torturing a British subject.—It is a lamentable fact, that nearly 20,000 bbls. of American flour have been lost in the late tempestuous weather; being nearly a fifth of the whole importation. Letters lately received from Trieste state, that a very brisk trade is carried on in that port, in consequence of large exportations of fire arms and sabres from thence to South America.—The Liverpool Mercury of the 14th March, states, that there were then in that port 600 sail of vessels, out of which from a moderate calculation, there were upwards of 300 ready for sea—they had been prevented from sailing for nearly eight weeks by strong gales of wind. Even the Dublin packets, which usually leave Liverpool every day, were forced back, and kept in port five weeks! Many shipwrecks have happened on the coast, and the gales have also done much damage on the land.

General state of the country.—The whole country *appears* to be in a ferment. Arrests are making in all quarters—yet "riotous meetings" are held, and the general excitement seems to rise with the attempts to repress it. Plots are talked of as existing in every part of the kingdom. A law has passed making it *death* to refuse to disperse at the order of a magistrate! Another, makes it *death* to attempt to "seduce the soldiers or sailors."

Selling a wife—A man, a few days since, sold his wife, in a halter for 1*s.* 6*d.* in the public market at Wellington, and allowed the purchaser a quart of ale to drink his health. *London paper 8th Feb.*

FRANCE.

Talleyrand is reported to be in favor again—reinstated in his office of high chamberlain. French funds, March 8, 61*f.* 60*c.* Measures are talked of to put the French army on a respectable footing.

Franklin's works are in the press at Paris.

It is stated that there are between 4 and 500

Egyptian emigrants at Marseilles. Government was about to do something for their relief.

It is *officially* announced that the duchess of Berri is in the 5th month of her pregnancy.

Lavalette is said to be in Germany, about to reside with the ex-queen of Holland.

The army of *occupation* was to consist of any number of troops the allies might think proper, not exceeding 150,000 men, to be paid by France. They are now reduced to 120,000 men; who appear to be regularly paid. How humbling to the pride of Frenchmen must be the existence of such a force in their territory.

Gen. Lallemant, who accompanied Bonaparte on board the Bellerophon, has safely arrived at Boston from Smyrna.

Paris, March 2.—The drivers of the little carriages for Versailles call out, "there is still one seat left for Versailles; *come and see the spring at Versailles.*" The crowd of curious persons going thither is very great. The fact, which gives occasion to this, is the fine sight presented by the trees in the grand park, which display the phenomenon of a vegetation, such as is seen in the month of May. Several trees in the park of Trianon are covered with new leaves: the hawthorns in the open air are loaded with flowers.—May the hope which this early spring gives us not be destroyed by frosts in the month of May!—If we have reasons for fear, we have also many for hope. The Chronicle of Bullinguer, mentions, after a calamitous year, the summer of 1540. The fine weather and the heat lasted from the month of February to the 19th of September, and during all this period it rained but six times. At the end of May ripe cherries were eaten, and grapes in July; the 25th of June was the midst of the harvests; and at the beginning of September, Bullinguer adds, that this year was remarkable for the extreme abundance of wine, corn, and all sorts of fruit.

SPAIN.

There appears to be some serious difficulty between Spain and Portugal, in consequence of which the British officers attached to the Portuguese corps have left London to join the army.

An insurrection is said to exist in Valencia—many lives are reported to have been lost, but we have not the particulars. *Ferdinand* has ordered a conscription—a "horrible French conscription"—of 40,000 men, "to be enforced without any exception of classes." These are designed to replace the old soldiers, suspected of not loving the king so much as they might. The state of Spain is represented as that of "extreme misery"—great numbers of the people dying of hunger. The illustrious Herreros, a deputy of the late Cortes, died recently in confinement in a fortress on the African coast. He had previously been kept two years in a dungeon of Madrid. "*The Bourbons are restored.*"

ITALY.

A new census of Rome has been taken, and the number of souls found to be 129,000. Turin contains 88,583 souls.

IONIAN ISLANDS.

The islands are *protected* by the English. The people latterly have manifested a disposition to protect or govern themselves. In consequence a British mercenary force was to be raised of 25,000 men.

NETHERLANDS.

The population of the kingdom of the Netherlands amounts at present to 5,226,857 souls.

The princess of Orange has had a son—his title is, duke of Brabant.

"*Restoration.*"—The navigation of that noble river, the Sheldt, is not yet again closed, by *Dutch liberality*, but is is very much shackled by extra duties, &c.

GERMANY.

Emigrations from the south of Germany, for the United States, are said to have become numerous.

An Austrian vessel, with a cargo of wood and iron, has, for the first time, passed up the Nile and arrived at Cairo.

RUSSIA.

Lists have been published at Petersburg, (says a London paper) of the births and deaths during the year 1816. The increase of population was 890,000 individuals. These lists comprise only the parishes of the Greek church, ruling in the empire. A fourth, or at least a fifth of the population is composed of Catholics, Lutherians, Mahometans, and Pagans.

The population of the Russian empire, exclusive of the kingdom of Poland, was during the last year, 42 millions. If the same augmentation continues proportionably, we may calculate that this population will in 17 years amount to 50 millions, and in 72 years 100 millions.

CHINA.

The mission of lord Amherst to the emperor of China has entirely failed. There is an account of a fight between some Chinese war boats and the British frigate Alceste—the latter is said to have silenced them and the forts that opened upon her.

AFRICA.

The British have taken possession of the island of Tristram de Cunha, for the purpose of fixing a garrison upon it similar to that at Ascension: probably with a view to the better securing of Bonaparte.

The dey of Algiers has issued an order preventing the export of all sorts of provisions to the British territories and possessions. The French have supplanted the English in the commerce of this regency, which is grievously complained of.

The grand seignior is about to make the dey a present of a frigate, two corvettes, and three transports laden with naval and military stores. He will soon have a respectable fleet.

☞It would seem, from several hints in the British papers that a new expedition may be sent out for Algiers. The dey is said to have captured several vessels, in disregard to his treaty; but the probability rather is that the advantages he has given to French commerce is really the cause of hostility to him. Lord Exmouth had been several days in attendance at the admiralty.

BONAPARTE.

It is said that Las Casas has taken with him to the Cape of Good Hope, the manuscripts of the life of Bonaparte, which it is presumed he will publish in England.

☞We have several papers respecting the treatment of the ex-emperor, which we have not room to insert or say much about at present. He has complained, through count de Montholon, of ill usage; which, however, is denied in the British statements. Our last accounts from him represent him as being very unwell. His boundaries have been circumscribed, and he is more closely watched than ever—being personally examined three times a day.

MEXICO AND SOUTH-AMERICA.

The projected expedition against the patriots of Mexico and South-America, yet remains at Cadiz, without any immediate prospect of embarkation. The treasury of Spain is in a beggarly state.

Direct accounts from Buenos Ayres announce the

annihilation of the royal forces in *Chili*, and the establishment there of a patriotic government. There was much hard fighting, especially at Chacabuco, on the 12th of February, where the Buenos Ayrean general, *San Martin*, gained a complete victory, killing 450 of the enemy, making 630 prisoners and dispersing the rest, who, with the royal general *Marco*, have been since picked up. *Ferdinand's* business is completely done here, and the patriots will now have leisure and power to pay their respects to the intruding Portuguese at Monte Video, if the events in Brazil shall not have caused them precipitately to depart.

The province of Pernambuco, in *Brazil*, has revolted and declared itself independent. The soldiers joined the people, and the revolution was completed without much bloodshed. A provisional government, on a very liberal plan, has been established, and there is every reason to believe that the patriots will not only be able to hold their ground in this province, but to extend their principles through the whole country. The next accounts we have will probably relate to the return of the king to Portugal.

☞An intelligent South-American informed the editor of the REGISTER long ago, that Brazil was ripe for revolution and only wanted a little encouragement from Buenos Ayres—adding that if the Portuguese interfered, as to the provinces of La Plata, that they would repent it.

"Restoration."—The Jesuits were re-established in Mexico the 19th of May last.

LATEST FROM ENGLAND—POSTSCRIPT.

Summary, from London dates to March 28, inclusive.—Lord Cochrane was preparing to leave England for South-America—370,000 persons, in the neighborhood of Birmingham, are in great misery, but peaceable—a bill to prevent seditious meetings was nearly completed; ministers were expected to prolong the suspension of the *habeas corpus;* why not make it perpetual?—American stocks, 101 *a* 101½; British 3 per cents. 69 7-8 70—the excise fell off £600,000 the last quarter—most of the Manchester rioters had been released—Spain has applied to England for assistance against her revolted colonies, and been refused—Ferdinand has issued an order for the release of some of his many state prisoners—the slave trade on the coasts of Africa still goes actively on, but the British have recently captured several vessels—There is again a talk of a constitution for Prussia—a Swede was sentenced to death for writing against Bernadotte's becoming king—there was a great riot at the Theatre Francais, at Paris, on the representation of a tragedy which was supposed to have an allusion to Bonaparte's present situation; the military quelled it; many arrests were made.

Planting Potatoes.

FROM THE NEW-JERSEY JOURNAL.

Mr. *Kollock*—As it is an opinion with many, that potatoes will yield best to change the seed, and plant the largest, therefore I made the following experiment.

Last fall I sent to Albany for some of the best red potatoes, which were very good and large; and on the 26th of April planted one row containing 19 hills in which I put one potatoe in a hill larger than a goose egg, weighing in the whole 8 lbs. and put a shovel full of fine manure in each. And when dug, the above eight pounds of the largest potatoes produced 54 lbs.

The next row I planted with cut potatoes, of the same kind, putting five pieces in a hill, the whole of 4 lbs. weight and manured in the same mann r as above. They produced 50 lbs. as did several other rows in the same patch

And on the 15th May I pealed five of the largest of the above potatoes, carefully digging out the eyes about the size of a cent, which I planted in 3 rows of 16 feet long, putting the eyes 8 or 9 inches apart and the rows 3 feet, which contained about half a rod of ground. It produced 1 bushel and 9 quarts (weighing 78 lbs.) of good sized potatoes; many of which weighed from 8 to 10 ounces, and but a very few small ones. This ground received no manure.

Yours, &c.

RICHARDSON GRAY.

P. S. The whole and cut potatoes were planted in a light sandy soil, and the eyes in a damp soil; and as the odds is so great, I think no one will hesitate to follow the plan, as it is a saving of all their seed.

Elizabethtown, Oct. 21. 1816.

CHRONICLE.

Specie.—Our readers will all recollect that Mr *Sergeant* went to England, as an agent of the United States' Bank, to negociate an exchange of United States' stocks for specie—and they will learn, with pleasure, that he has entirely succeeded, and on the most advantageous terms.

The precious metals, on private account, are also flowing in from all quarters, especially from England. It may be fairly presumed, from what we see in the papers, that from 800,000 to 1,000,000 of dollars arrived in the United States, from that country, within the period of the last week.

Fire.—Two valuable manufactories, one for cotton and wool, the other for cotton bagging, both of them extensive establishments, were lately destroyed by fire, near Lexington, Ky. Supposed by design.

The *Susquehannah.*—In the first 12 days of April, 100,000$ worth of property was sent to market on the Susquehannah, from the village of *Owego*, in the state of New-York. It consisted of arks laden with plaster of Paris, rafts of timber and boards, &c.—500 persons were employed in conducting these to market.

The *flag of the United States* is not altered, as has been published in several papers. The proposition offered for it was not adopted by congress.

The *Mediterranean squadron.*—We have late accounts from our squadron in the Mediterranean—all well; nothing new.

The United States ship Ontario, capt. Downs, has received orders to prepare for sea with all possible despatch. It is understood she is to carry out despatches.

The United States brig Boxer, captain Porter, lately sailed from New York for the Gulf of Mexico. Septimus Tyler, esq. went out in her as agent to the president of Hayti, to demand satisfaction for a captured vessel, and the execution of an American.

Ship letters.—During the week, which ended on Saturday last, *thirty-three thousand three hundred and thirty-one* foreign *letters*, were received at the post-office in this city (N. York,) from Liverpool, London, Bristol, Leith, Greenock, Havre-de-Grace, Rotterdam, Calcutta, Havana, Martinique, Amsterdam, Jamaica, Bordeaux, and St. Thomas. [*Rep. Chron.*

Rhode-Island.—The republican majority is about 100 for governor.

Extract from the rules and regulations for the government of the army of the United States.

"All officers, whatever may be their rank, passing through a garrison town, or established military post, shall report their arrival at such town or post to the commanding officer; by written notice if the officer arriving be elder in rank, and personally if he be younger in rank than the officer commanding."

Castle Clinton, head quarters,
3d M. dept. April 22, 1817.

DEPARTMENT ORDERS.

The commanding officer requires obedience to the above regulations from all officers of the United States' army.

J. HINDMAN,
Col. commanding 3d M. Dept.

Adj't and Inspector Gen's office, May 1, 1817.

GENERAL ORDER.—*Promotions and appointments to fill vacancies in the army of the United States.*

Corps of Artillery.

2d lieutenant Wm. Coffie, to be 1st lieutenant, 20th April, 1817, vice Kincaid, resigned.

3d lieutenant John R. Sloo, to be 2d lieutenant 20th April, 1817, vice Coffie, promoted.

3d lieutenant Henry Griswold to be 2d lieutenant, 1st May, 1817, vice Campbell, resigned.

First Regiment of Infantry.

Brevet lieut. colonel James Y. Ball, major of the 6th infantry, to be lieutenant colonel, 31st March 1817, vice Croghan resigned.

Brevet major R. Whartenby, captain of the 7th infantry, to be major, 30th April 1817, vice Jesup, promoted.

Third Regiment of Infantry,

Brevet lieut. colonel Thomas S. Jesup, major of the 1st infantry, to be lieutenant colonel, 30th April, 1817, vice Brearley promoted.

Fourth Regiment of Infantry.

1st lieutenant Otho W. Callis, to be captain, 12th March, 1817, vice Taylor, resigned.

2d lieutenant Richard M. Sands, to be 1st lieutenant, 12th March, 1817, vice Callis, promoted.

Fifth Regiment of Infantry.

2d lieut. Edmund Kirby, to be 1st lieutenant, 1st May, 1817, vice Adams, resigned.

Sixth Regiment of Infantry.

Brevet major Gad Humphreys, captain, to be major, 31st of March 1817, vice Ball promoted.

Brevet captain Elijah Boardman, 1st lieutenant, to be captain, 31st March 1817, vice Humphreys promoted.

2d. lieutenant John Ellison, to be 1st lieutenant, 31st March, 1817, vice Boardman promoted.

Seventh Regiment of Infantry.

Brevet colonel D. Brearley, lieutenant colonel of the 3d infantry, to be colonel, 30th April 1817, vice M'Donald, resigned.

1st Lieutenant John H. Mallory, to be captain, 30th April 1817, vice Whartenby, promoted.

2d Lieutenant Granville Leftwich, to be 1st lieutenant, 30th April 1817, vice Mallory, promoted.

2d Lieutenant Richard W. Scott, to be 1st lieutenant, 30th April 1817, vice Ross, resigned.

2d Lieutenant Lewis Lawshe, to be 1st lieutenant, 30th April 1817, vice Goodwyn, resigned.

Eighth Regiment of Infantry.

1st Lieutenant Thomas Mountjoy, to be captain, 15th January 1817, vice M'Keon.

1st Lieutenant Robert Houston, to be captain, 21st March 1817, vice Bissell, resigned.

2d Lieutenant George Kennerly, to be 1st lieutenant, 15th Jan. 1817, vice Mountjoy, promoted.

2d Lieutenant R. Humphreys, to be 1st lieutenant, 31st March 1817, vice Houston, promoted.

Rifle Regiment.

Brevet lieutenant colonel Talbot Chambers.—Major, to be lieutenant colonel, 8th March 1817, vice Hamilton, resigned.

Brevet major Willoughby Morgan, captain, to be major, 8th March 1817, vice Chambers, promoted.

1st Lieutenant James S. M'Intosh, to be captain, 8th March, 1817, vice Morgan, promoted.

2d Lieutenant Abner Harrison, to be 1st lieutenant, 1st March, 1817, vice Laval, resigned.

2d Lieutenant John Hollingsworth, to be 1st lieutenan, 8th March, 1817, vice M'Intosh, promoted.

2d Lieutenant Bennet Riley, to be 1st lieutenant, 31st March, 1817, vice Heddleston, resigned.

Appointments.

Perrin Willis, late captain 2d Inft. to be major and assistant-adjutant general, 3d April, 1817.

Elisha L. Allen, to be hospital surgeon's-mate, 8th March, 1817.

Geo. C. Clitherall, to be hospital surgeon's-mate, 8th March, 1817.

John Carpenter, to be hospital surgeon's-mate, 9th April, 1817.

W. J. Clark, to be hospital surgeon's-mate, 26th April, 1817.

Arthur Nelson, to be surgeon's-mate, 5th Infantry, April 26th, 1817.

The officers promoted by this order will report accordingly, subject to the approval of the senate at their next session. By order

D. PARKER, Adjt. & Insp. Gen.

MARINE CORPS OF THE UNITED STATES.

List of officers to be retained in the United States' marine corps, under the act of congress passed on the third day of March, 1817, entitled "an act fix the peace establishment of the marine corps."

Franklin Wharton, lieut. colonel commandant.

CAPTAINS.

Anthony Gale	Samuel Miller
Archibald Henderson	John M. Gamble
Richard Smith	Alfred Grayson
R. D. Wainwright	William Strong.
William Anderson	

FIRST LIEUTENANTS

F. W. Bellevue	Charles R. Broom
Lyman Kellog	Benjamin Richardson
Samuel E. Watson	Francis B. White
Wm. L. Brownlow	William Nicoll
Thomas W. Legge	Charles Lord
W. H. Freeman	Levi Twiggs
Joseph L. Khun	John Harris
Henry Olcott	Samuel B. Johnston

The following eight second lieutenants are promoted first lieutenants, April 18th, 1817.

Thomas A. Linton	James I. Mills
Richard Auchmuty	Park G. Howle
James Edelin	George B. English
Christopher Ford	Richard D. Green

SECOND LIEUTENANTS.

Edward S. Nowell	Elijah J. Weed
Robert M. Desha	Shubeal Butterfield
John S. Page	Thomas G. Chase
Henry E. Dix	Robert Lyman
Aug. A. Nicholson	John H. Duncan
Edwin B. Newton	Augustus De Rumford.
William Brown	

☞Three vacancies of second lieutenants, yet to be filled.

The number of non-commissioned officers, musicians and privates, to be as follows:

Seventy-three sergeants, seventy-three corporals, forty-two drums and fifes, seven hundred and fifty privates.

NILES' WEEKLY REGISTER.

No. 11 of Vol. XII.] BALTIMORE, SATURDAY, MAY 10, 1817. [WHOLE N. 297.

Hæc olim meminisse juvabit.—VIRGIL.

PRINTED AND PUBLISHED BY H. NILES, AT THE HEAD OF CHEAPSIDE, AT $5 PER ANNUM.

The present number, from the variety of its contents, is calculated to please most descriptions of readers.

Political Curiosity.

The following more properly belongs to the proposed collection of revolutionary papers than to the body of the REGISTER itself—but we prefer to publish it now to invigorate the hopes and strengthen the exertions, of all interested in that undertaking.

The people of the United States will be pleased to see "the first printed essay towards a form of government in this country," written "six months before the declaration of independence," by president ADAMS: and they will remark, with singular pleasure, how nearly, in spirit and form, our republican governments which succeeded that declaration, have approached the lines sketched in this "marbled colored bagatelle," as Mr. A. sportively calls it, from its being done up in marbled paper.

Quincy, April 28th, 1817.

SIR—I have received eleven volumes of your Register, well bound and in good order, for which I have paid Mr. Ballard; and I thank you for the promptitude with which you have obliged me.

"VIVE LA BAGATELLE."

The light sketch enclosed, is at this day of no value: not even an object of curiosity, except on account of the critical moment in which it was crayoned, six months before the declaration of independence, and as it was the first printed essay towards a form of government in this country.

As Mr. Taylor of Hazelgrove, Portroyal, Virginia, has in his late work honored with several pages of remarks, an imperfect copy of it, it seems right that the public should possess an authentic one.

If you think it worth a place in your Register you may give it one. If not, I pray you to return it to me by the post. Indeed in any case I wish to have it restored to me, as I know of no other copy of Dunlap's edition.

You may make what use you please of this letter and all its contents, upon condition you return me my marble coloured Bagatelle.

I am, respectfully, your servant,

JOHN ADAMS.

Mr. Niles.

Memorandum by Mr. Adams.

In the winter of 1776 there was much discussion in congress concerning the necessity of independence, and advising the several states to institute governments for themselves under the immediate authority and original power of the people. Great difficulties occurred to many gentlemen, in making a transition from the old governments to the new, i. e. from the royal to republican governments. In January 1776, Mr. George Wythe, of Virginia, passing an evening with me, asked what plan I would advise a colony to pursue, in order to get out of the old government and into a new one. I sketched in words a scheme, which he requested me to give him in writing. Accordingly, the next day I delivered him the following letter. He lent it to his colleague Richard Henry Lee, who asked me to let him print it: to which I consented provided he would suppress my name: for if that should appear, it would excite a continental clamour among the tories that I was erecting a battering ram to demolish the royal government and render independence indispensable.

Quincy, July 21, 1811.

THOUGHTS ON GOVERNMENT: APPLICABLE TO THE PRESENT STATE OF THE AMERICAN COLONIES; IN A LETTER FROM A GENTLEMAN TO HIS FRIEND, [i. e. FROM JOHN ADAMS TO GEORGE WYTHE.] PHILADELPHIA: PRINTED BY JOHN DUNLAP. M,DCC,LXXVI.

Thoughts on government, &c.

MY DEAR SIR—If I was equal to the task of forming a plan for the government of a colony, I should be flattered with your request, and very happy to comply with it; because as the divine science of politics is the science of social happiness, and the blessings of society depend entirely on the constitutions of government, which are generally institutions that last for many generations, there can be no employment more agreeable to a benevolent mind, than a research after the best.

POPE flattered tyrants too much when he said

"For forms of government let fools contest,
"That which is best administered is best."

Nothing can be more fallacious than this: But poets read history to collect flowers not fruits—they attend to fanciful images, not the effects of social institutions. Nothing is more certain from the history of nations, and the nature of man, than that some forms of government are better fitted for being well administered than others.

We ought to consider, what is the end of government, before we determine which is the best form. —Upon this point all speculative politicians will agree, that the happiness of society is the end of government, as all divines and moral philosophers will agree that the happiness of the individual is the end of man. From this principle it will follow, that the form of government, which communicates ease, comfort, security, or in one word happiness to the greatest number of persons, and in the greatest degree, is the best.

All sober enquirers after truth, ancient and modern, pagan and Christian, have declared that the happiness of man, as well as his dignity consists in virtue. Confucius, Zoroaster, Socrates, Mahomet, not to mention authorities really sacred, have agreed in this.

If there is a form of government then, whose principle and foundation is virtue, will not every sober man acknowledge it better calculated to promote the general happiness than any other form?

Fear is the foundation of most governments; but is so sordid and brutal a passion, and renders men, in whose breasts it predominates, so stupid, and miserable, that Americans will not be likely to approve of any political institution which is founded on it.

Honour is truly sacred, but holds a lower rank in the scale of moral excellence than virtue.—Indeed the former is but a part of the latter, and consequently has not equal pretensions to support a frame of government productive of human happiness.

The foundation of every government is some principle or passion in the minds of the people.—The noblest principles and most generous affections in our nature then, have the fairest chance to support the noblest and most generous models of government.

A man must be indifferent to the sneers of modern Englishmen, to mention in their company, the names of Sidney, Harrington, Locke, Milton, Nedham, Neville, Burnet, and Hoadley.—No small fortitude is necessary to confess that one has read them. The wretched condition of this country, however, for ten or fifteen years past, has frequently reminded me of their principles and reasonings.—They will convince any candid mind, that there is no good government but what is republican. That the only valuable part of the British constitution is so; because the very definition of a republic, is "an empire of laws, and not of men." That, as a republic is the best of governments, so that particular arrangement of the powers of society, or in other words that form of government, which is best contrived to secure an impartial and exact execution of the laws, is the best of republics.

Of republics, there is an inexhaustible variety, because the possible combinations of the powers of society, are capable of innumerable variations.

As good government, is an empire of laws, how shall your laws be made? In a large society, inhabiting an extensive country, it is impossible that the whole should assemble, to make laws: The first necessary step then, is, to depute power from the many, to a few of the most wise and good.—But by what rules shall you choose your representatives? Agree upon the number and qualifications of persons, who shall have the benefit of choosing, or annex this privilege to the inhabitants of a certain extent of ground.

The principal difficulty lies, and the greatest care should be employed in constituting this representative assembly. It should be in miniature, an exact portrait of the people at large. It should think, feel, reason, and act like them. That it may be the interest of this assembly to do strict justice at all times, it should be an equal representation, or in other words equal interest among the people should have equal interest in it.—Great care should be taken to effect this, and to prevent unfair, partial, and corrupt elections. Such regulations, however, may be better made in times of greater tranquility than the present, and they will spring up of themselves naturally, when all the powers of government come to be in the hands of the people's friends. At present it will be safest to proceed in all established modes to which the people have been familiarised by habit.

A representation of the people in one assembly being obtained, a question arises whether all the powers of government, legislative, executive, and judicial, shall be left in this body? I think a people cannot be long free, nor ever happy, whose government is in one assembly. My reasons for this opinion are as follow:

1. A single assembly is liable to all the vices, follies and frailties of an individual.—Subject to fits of humor starts of passion, flights of enthusiasm, partialities of prejudice, and consequently productive of hasty results and absurd judgments: And all these errors ought to be corrected and defects supplied by some controling power.

2. A single assembly is apt to be avaricious, and in time will not scruple to exempt itself from burthens which it will lay, without compunction, on its constituents.

3. A single assembly is apt to grow ambitious, and after a time will not hesitate to vote itself perpetual. This was one fault of the long parliament, but more remarkably of Holland, whose assembly first voted themselves from annual to septennial, then for life, and after a course of years, that all vacancies happening by death or otherwise, should be filled by themselves, without any application to constituents at all.

4. A representative assembly, although extremely well qualified, and absolutely necessary as a branch of the legislature, is unfit to exercise the executive power, for want of two essential properties, secrecy and despatch.

5. A representative assembly is still less qualified for the judicial power; because it is too numerous, too slow, and too little skilled in the laws.

6. Because a single assembly, possessed of all the powers of government, would make arbitrary laws for their own interest, execute all laws arbitrarily for their own interest, and adjudge all controversies in their own favor.

But shall the whole power of legislation rest in one assembly? Most of the foregoing reasons apply equally to prove that the legislative power ought to be more complex—to which we may add, that if the legislative power is wholly in one assembly, and the executive in another, or in a single person, these two powers will oppose and encroach upon each other, until the contest shall end in war, and the whole power, legislative and executive, be usurped by the strongest.

The judicial power, in such case, could not mediate, or hold the balance between the two contending powers, because the legislative would undermine it.—And this shews the necessity too, of giving the executive power a negative upon the legislative, otherwise this will be continually encroaching upon that.

To avoid these dangers let a distinct assembly be constituted, as a mediator between the two extreme branches of the legislature, that which represents the people and that which is vested with the executive power.

Let the representative assembly then elect by ballot, from among themselves or their constituents, or both, a distinct assembly, which for the sake of perspicuity we will call a council. It may consist of any number you please, say twenty or thirty, and should have a free and independent exercise of its judgment, and consequently a negative voice in the legislature.

These two bodies thus constituted, and made integral parts of the legislature, let them unite, and by joint ballot choose a governor, who, after being stript of most of those badges of domination called prerogatives, should have a free and independent exercise of his judgment, and be made also an integral part of the legislature. This I know is liable to objections, and if you please you may make him only president of the council, as in Connecticut: But as the governor is to be invested with the executive power, with consent of council, I think he ought to have a negative upon the legislative. If he is annually elective, as he ought to be, he will always have so much reverence and affection for the people, their representatives and councillors, that although you give him an independent

exercise of his judgment, he will seldom use it in opposition to the two houses, except in cases the public utility of which would be conspicuous, and some such cases would happen.

In the present exigency of American affairs, when, by an act of parliament we are put out of the royal protection, and consequently discharged from our allegiance; and it has become necessary to assume government for our immediate security, the governor, lieutenant governor, secretary, treasurer, commissary, attorney-general, should be chosen by joint ballot, of both houses. And these and all other elections, especially of representatives and councillors, should be annual, there not being in the whole circle of the sciences, a maxim more infallible than this, "where annual elections end, there slavery begins."

These great men, in this respect should be, once a year

"Like bubbles on the sea of matter borne,
"They rise, they break, and to that sea return."

This will teach them the great political virtues of humility, patience, and moderation, without which every man in power becomes a ravenous beast of prey.

This mode of constituting the great offices of state will answer very well for the present, but if, by experiment, it should be found inconvenient, the legislature may at its leisure devise other methods of creating them, by elections of the people at large, as in Connecticut, or it may enlarge the term for which they shall be chosen to seven years, or three years, or for life, or make any other alterations which the society shall find productive of its ease, its safety, its freedom, or in one word its happiness.

A rotation of all offices, as well as of representatives and councillors, has many advocates, and is contended for with many plausible arguments. It would be attended no doubt with many advantages, and if the society has a sufficient number of suitable characters to supply the great number of vacancies which would be made by such a rotation, I can see no objection to it. These persons may be allowed to serve for three years, and then be excluded three years, or for any longer or shorter term.

Any seven or nine of the legislative council may be made a quorum, for doing business as a privy council, to advise the governor in the exercise of the executive branch of power, and in all acts of state.

The governor should have the command of the militia, and of all your armies. The power of pardons should be with the governor and council.

Judges, justices and all other officers, civil and military, should be nominated and appointed by the governor, with the advice and consent of council, unless you choose to have a government more popular; if you do, all officers, civil and military, may be chosen by joint ballot of both houses, or in order to preserve the independence and importance of each house, by ballot of one house, concurred by the other. Sheriffs should be chosen by the freeholders of counties—so should registers of deeds and clerks of counties.

All officers should have commissions, under the hand of the governor and seal of the colony.

The dignity and stability of government in all its branches, the morals of the people and every blessing of society, depends so much upon an upright and skillful administration of justice, that the judicial power ought to be distinct from both the legislative and executive, and independent upon both, that so it may be a check upon both, as both should be checks upon that. The judges therefore should always be men of learning and experience in the laws, of exemplary morals, great patience, calmness, coolness and attention. Their minds should not be distracted with jarring interests; they should not be dependent upon any man, or body of men. To these ends they should hold estates for life in their offices, or in other words their commissions should be during good behaviour, and their salaries ascertained and established by law. For misbehaviour the grand inquest of the colony, the house of representatives, should impeach them before the governor and council, where they should have time and opportunity to make their defence, but if convicted should be removed from their offices, and subjected to such other punishment as shall be thought proper.

A militia law requiring all men, or with very few exceptions, besides cases of conscience, to be provided with arms and ammunition, to be trained at certain seasons, and requiring counties, towns, or other small districts to be provided with public stocks of ammunition and entrenching utensils, and with some settled plans for transporting provisions after the militia, when marched to defend their country against sudden invasions, and requiring certain districts to be provided with field-pieces, companies of matrosses, and perhaps some regiments of light horse is always a wise institution, and in the present circumstances of our country indispensable.

Laws for the liberal education of youth, especially of the lower class of people, are so extremely wise and useful, that to a humane and generous mind, no expence for this purpose would be thought extravagant.

The very mention of sumptuary laws will excite a smile. Whether our countrymen have wisdom and virtue enough to submit to them I know not. But the happiness of the people might be greatly promoted by them, and a revenue saved sufficient to carry on this war forever. Frugality is a great revenue, besides curing us of vanities, levities and fopperies which are real antidotes to all great, manly and warlike virtues.

But must not all commissions run in the name of a king? No. Why may they not as well run thus, "The colony of to A. B. greeting," and be tested by the governor?

Why may not writs, instead of running in the name of the king, run thus, "the colony of to the sheriff," &c. and be tested by the chief justice.

Why may not indictments conclude "against the peace of the colony of and the dignity of the same?"

A constitution, founded on these principles, introduces knowledge among the people, and inspires them with a conscious dignity, becoming freemen. A general emulation takes place, which causes good humor, sociability, good manners, and good morals to be general. That elevation of sentiment, inspired by such a government, makes the common people brave and enterprising. That ambition which is inspired by it makes them sober, industrious and frugal. You will find among them some elegance, perhaps, but more solidity; a little pleasure, but a great deal of business—some politeness, but more civility. If you compare such a country with the regions of domination, whether monarchical or aristocratical, you will fancy yourself in Arcadia or Elisium.

If the colonies should assume governments separately, they should be left entirely to their own choice of the forms, and if a continental constitu-

tion should be formed, it should be a congress, containing a fair and adequate representation of the colonies, and its authority should sacredly be confined to these cases, viz. war, trade, disputes between colony and colony, the post-office and the unappropriated lands of the crown, as they used to be called.

These colonies, under such forms of government, and in such a union, would be unconquerable by all the monarchies of Europe.

You and I, my dear friend, have been sent into life, at a time when the greatest lawgivers of antiquity would have wished to have lived.—How few of the human race have ever enjoyed an opportunity of making an election of government more than of air, soil or climate, for themselves or their children.—When! before the present epocha, had three millions of people full power and a fair opportunity to form and establish the wisest and happiest government that human wisdom can contrive? I hope you will avail yourself and your country of that extensive learning and indefatigable industry which you possess, to assist her in the formations of the happiest governments, and the best character of a great people.—For myself, I must beg you to keep my name out of sight, for this feeble attempt, if it should be known to be mine, would oblige me to apply to myself those lines of the immortal John Milton, in one of his sonnets,

"I did but teach the age to quit their clogg's
"By the plain rules of ancient liberty,
"When lo! a barbarous noise surrounded me,
"Of owls and cuckoos, asses, apes and dogs."

Public stocks.

FROM THE BOSTON CENTINEL.

"The *public stocks* of modern nations have been considered the best *criteria* of the stability of their governments.—By this rule, then, that of Great Britain is considered as firm as the Peruvian Andes. *Take an example.*—American stocks are considered to be next in stability;—but American securities, bearing *six per cent.* interest, will only command in specie one or two per cent. above par—whereas British stocks, bearing only *three per cent.* interest, will command in specie 70 per cent:—which at the rate of six per cent. would be 40 per cent. above par! What will the croakers and boasters say to this?"

REMARKS.

There is apparently a singular disposition in some American citizens to exalt the character of Great Britain even at the cost of their own country's reputation. The writer of the preceding paragraph seems to have that disposition—for, not content with the facts stated, which he assumes as "the truth, the whole truth and nothing but the truth" of the matter, he evidently exults at the supposed superior *stability* of the British government over that of the United States. One might have thought that this would rather be a subject for regret than of pleasure.

It is true, when British *three per cents.* were at 70, in *London*, American *six per cents.* were no more than 102: but this is not "criteria of the stability of the governments." There is no man who believes that the present American debt will be perpetual; it is known to be in a rapid state of reduction, and its period is reasonably calculated—whereas, there is no man who dreams or supposes that the British debt will ever be paid; it is by all accounted an impossibility to do it. There is, then, something else, besides the presumed "stability" of the respective governments, that makes the British capitalist willing to give a higher comparative price for the stocks of his own country than for those of a foreign one—this something may be the greater facility with which he can collect the interest, but chiefly in the greater convenience with which he may convert his stock into other kinds of property, at pleasure. The British stocks, from the immense trade carried on in them, answer nearly all the purposes of money, at their current value; and millions on millions of them are bought and sold in the course of a week, without the use of money at all—one kind, or lot, being disposed of and another bought, by certain sets of persons, in continual succession. But real purchasers—that is, such as purchase stocks to invest funds *for the receipt of interest*, are of little account in the *stock market;* where the trade goes on, buying and selling, without delivery, in numerous cases, like the famous *Tulip* trade which had its day in Holland, many years ago. The case is different with the *American* stocks; these are only to a certain extent in the market—the trade in them is limited, and they do not serve the stock-jobbers and others the purposes of money, so easily as the British stocks do. A sale of them cannot *always* be effected, at half an hour's notice—and hence they are, comparatively, of less value, proportioned to the *interest* payable on them, in the *British* money market. And besides, their amount is too small to engage much of the attention of the great dealers in stocks—who turn in one week as great a value of British stocks as the whole debt of the United States amounts to.

But there is another point of view in which the editor of the *Boston Centinel* might have represented the matter more fairly, if he had pleased. He could have compared *three per cents.* with *three per cents.* We have not seen any quotation of the American 3 per cents. in the British market, but it may be presumed they bear the same relation to the 6 per cents. there that they do here. The prices current at Baltimore, last week, gave 6 per cents. 100¼; and 3 per cents. at 65. The first being 102 in London, would give the latter there, at the same rate, a little more than 68 pr. ct.—only 2 pr. ct. less than the British 3 per cents. in the *British* market.

Further, and to shew that the price of the British 3 per cents. were not raised to 70 for the sake of the *interest* to be received, we may observe that when the 3 per cents. were at 70, the *five* per cents. were only 99—As 3 is to 5 so is 70 to 116 2-3—which ought to have been the price of the *5 per cents.* instead of 99.

Observations on Flour and Bread.

The following series of experiments and remarks are deeply interesting to a large portion of our readers; and the facts, so carefully ascertained, will instruct and amuse those who have no need to profit by them. The gentleman who communicated them stands second to no man as a nice observer of truth, and what he alleges on this, as on other occasions, may be entirely relied upon. In his letter, enclosing the article, he says "it was "my intention to have carried these experiments "still further, and to have reduced them to a "certain degree of order, which, owing to a va- "riety of circumstances, I was compelled to relin- "quish"—adding, "I now send them to thee, in "their rough state, to be made use of as may be "most agreeable. These experiments were made "with sufficient accuracy, and my notes entered "immediately on weighing the bread," &c. We have thought that in their "rough state" they are the most explicit, and have not ventured any alteration of their matter or manner.

"The peck loaf of England must weigh 17*lb.* 6*oz.* for which about 14*lb.* of flour is usually employed; the half-peck weighs 8*lb.* 11*oz.*; the quartern loaf 4*lb.* 5*oz.* 8*drs.*—hence, in the usual way of sale, 56 ounces of flour makes 69½*oz.* of bread; or 10*lb.* of flour makes 12*lb.* of bread"—"514*lb.* of flour, when baked, produced 672*lb.* of *household bread*, or at the rate of 30 per cent. beyond the weight of the flour" —"this is at the rate of 13*lb.* of bread to 10*lb.* of flour. I presume this bread was weighed warm." "According to lord Sheffield, the general calculation is, that a Winchester bushel of wheat, weighing 60*lb.* will produce 54*lb.* of meal, 5¼*lb.* of bran, and ¾*lb.* of water; that this 54*lb.* of meal will make 68*lb.* of bread. This is at the rate of 13⅓*lb.* of bread to 10*lb.* of flour." "It appeared from the examination of the bakers, about the period of the scarcity in England, that American flour, weight for weight, produced rather more bread than the best English flour"—"Hence, I conclude, that 10*lb.* of American flour ought to make 13*lb.* of bread, if well managed."—*Emporium, vol. 5, page* 277.*

In order to ascertain whether he above trials and opinions would correspond with experiments made under my own direction, I weighed 12*lb.* of flour, which, being made up with 1*lb.* of yeast and 5 pints of *milk*, and baked in my own house, produced 17½ pounds of bread, carefully weighed when nearly cool. Two weeks after the above trial, I weighed 14*lb.* of flour, which was, in like manner, made up with 1*lb.* of yeast and 5½ pints of *milk*—the bread was weighed in a similar state with the first experiment, and produced 20½*lbs.* of bread.

The above trials were made in the 8th and 9th months (August and September) of the present year (1814.)

The wheat from which the bread first mentioned was made was from the peninsula between the Delaware and Chesapeake bays, and of what would be called middling quality—the second parcel of bread was made from flour of New-Jersey wheat, of a superior quality, well cleaned. Both parcels of wheat were of the harvest of 1813.

The product of the first quantity of flour (12*lb.*) is at the rate of 145*lb.* 13*oz.* to 100*lb.* of flour.

The second parcel (14*lb.* of flour) produced at the rate of 146*lb.* 8*oz.* 4*drs.* to the 100*lbs.* of flour.

The average of these two trials is an increase of 46*lb.* 0*oz.* 13½*drs.* per cent. which exceeds the British average by 50 per cent. Doubts may be entertained of the accuracy of these experiments; but I have none, as the wheat was manufactured in my own mill, and the bread made up and baked in my own family.

A third experiment was made (27th 9th mo.) with 14*lb.* of flour, of quality No. 2, made up with 1*lb.* 7*oz.* of yeast, and the requisite quantity of *water.* The result was 19¾*lbs.* of bread when cool—which is an advance of 41*lb.* 2*oz.* per cent. In experiments No. 1 and 2, the yeast was not weighed, supposing the measure used would contain (being a milk pint) no more than 1*lb.* but on weighing a like quantity, in experiment No. 3, the result was as above stated [1*lb.* 7*oz.**] being that kind of rising called here "sotts," a Dutch term, I presume. This difference in the weight of the yeast will make a correspondent difference in the results of No. 1 and 2, and will be accounted for hereafter.

10*th mo.* 6*th.*—A fourth experiment was made with 14*lb.* of flour, made from wheat of the present year (1814) This flour was laid to rise with the usual quantity of "sotts" (1 pint) and mixed with two quarts of milk and half a pint of water: the product was 21½*lbs.* of bread, weighed when warm:—this is equal to 153*lb.* 8*oz.* of bread to 100*lbs.* of flour, or an advance of 53*lb.* 8*oz.* per cent. an unexpected result—in addition to which it is proper to mention that, supposing this flour would prove similar to a previous baking of new flour (which was *runny*) a small portion of flour, supposed to be equal in quantity to that employed in making the "sotts," was reserved to mix up in the morning with the dough, but as it was found unnecessary, it may, therefore, be safely calculated that 13½*lb.* of flour produced the 21½*lb.* of bread—which is an advance equivalent to 59*lb.* 7*oz* per cent The wheat of which the above flour was made came from the peninsula between the Delaware and Chesapeake.

11*th mo.* 19*th.*—3*lbs.* of Indian meal were made into hasty pudding and laid to rise with 14*lb* superfine flour, 1 pint of yeast and 5 pints of *water*—the product was 21*lb.* 4*oz.* of bread; increase, 25 per cent. The wheat of which the above flour was made was a mixture of the crops of 1813 and 1814, from the peninsula; the flour not of good quality—the bread proved hard and unpleasant; whether owing to that cause or a want of milk in making it up, the product was much less than I expected.

1*st mo.* 25*th*, 1815.—3*lbs.* of Indian meal was made into hasty pudding, with 8 pints of water, and mixed up with 14*lbs.* of superfine flour, 2 pints of water and 1 pint of yeast—the product was 23*lbs.* of bread; an increase of 35 5-17 per cent. This wheat was of the crop of 1814, quality tolerable—the grain from the western shore of the Delaware.

9*th mo.* 13*th*, 1816—Having a parçel of good wheat in the mill from Virginia, of the crop of the present year, 14*lbs.* of the flour of that wheat was laid to rise with 1 pint of "sotts," and made into dough with six pints of water. The bread, when nearly cool, weighed 19¾*lbs.* giving an increase of 41 per cent.

11*th mo.* 9*th*—14*lbs.* of the flour of a good parcel of Virginia wheat was laid to rise (last evening)

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*Note—The above observations of lord Sheffield, with respect to the product of wheat, do not accord with the experience of millers in this neighborhood: For, though our wheat probably contains less water than the English wheat, in consequence of our climate being less humid, yet the quantity of filth that is brought to market in the American wheat, owing to the common method of treading it out, and to other circumstances, causes a loss of from 2 to 5*lb.* per bushel, instead of ¼ of a pound, including water. The quantity of bran also (owing to like causes) is, on an average of the different qualities of wheat, nearer 9 pounds than 5. By the word *meal* it is presumed that lord Sheffield intended to include *every quality* of the flour; but in the United States various qualities of stuffs, superior to bran, are made from every parcel of wheat—viz superfine, middlings and ship stuff, for ship bread—and ship stuff for horse-feed. The writer apprehends that the British wheat is generally kiln-dried before it is manufactured; if that is the case it is probably much drier than the American wheat when it comes into the hand of the miller to be ground.

*On measuring a pint of milk and weighing it, (9th mo. 26th) it gave 1*lb.* 3*oz.*—the measure, such as is commonly made use of in this neighborhood. But, with respect to weights and measures, the community are pretty much in the state that Israel was when "every man did that which was right in his own eyes," *thanks to our congress*, who have it in their power to do a great good, by a judicious regulation of weights and measures.

with 1 pint of "setts" and made up this morning, with 6 pints of water; the bread was weighed when quite cool and proved to be 21½ *lbs.* The weight of the bread in this instance exceeds that of the last experiment; owing, perhaps, to the wheat having parted with a portion of its water, by two months drying, and from the bread having been weighed when quite cool.

11*th mo.* 16*th*—14*lbs.* of flour was made up last evening with the usual quantity of yeast, and 7 pints of water—the product in bread, weighed when cool, was 21*lbs.* The flour of Virginia wheat.

11*th mo.* 30*th*—4*lbs.* of flour was kneaded with 4½*lbs.* of boiled potatoes, and 2-3 of a pint of yeast—the product was 7*lb.* 13*oz.* bread.

Same time—4*lbs.* of flour, of same quality, was made up with 1 1-3 pint of water, 2-3 of a pint of yeast—product 6*lb.* 3*oz* of bread.

	MILK	WATER
	lbs.	*oz.* *lbs.* *oz.*
Experiment No. 1—12*lbs.* of flour, 1*lb.* 7*oz.* of yeast and 5 pints of *milk*, produced an advance of, *per cent.*	45	13
Experiment No. 2—14*lbs.* of flour, 1*lb.* 7*oz.* of yeast, and 5½ pints of *milk*—product, 20*lbs.* 8*oz.* of bread, which is equal to, *per cent.*	46	7
Average, milk mixture, *per cent.*	46	2
Experiment No. 3—14*lbs.* of flour, 1*lb.* 7*oz.* of yeast, and *water*—product, 19*lbs.* 12*oz.* of bread, which is, *per cent.*		41 2
Experiment No. 4—14*lbs.* of flour, 1*lb.* 7*oz* of yeast, 8 pints of milk, and ½ pint of water—product 21½*lbs.* bread—an advance equal to	*53	8
Experiment No. 5—3*lbs.* of Indian corn meal, made into hasty pudding with *water*, 14*lbs.* superfine flour, 1*lb.* 7*oz.* of yeast, and 5 pints of water, produced 21*lbs.* 4*oz.*—*per cent.*		25 00
Experiment No. 6—3*lbs.* of meal, made up as before, 14*lbs* of flour, 1*lb.* 7*oz.* of yeast, 2 pints of water—product, 23*lbs.* of bread—*per cent.*		35 5
		60 5
Average, *per cent.*		30 2½
Experiment No. 7—14*lbs.* of flour, 1*lb.* 7*oz.* of "sotts," and 6 pints of water—product, 19¾*lbs.* of bread; an increase of, *per cent.*		41 00

*I suspect some error in this experiment.

American Manufactures.

The intelligent and indefatigable Mr. *Isaac Briggs*, who, perhaps, at least as well as any man in the U. States, understands the *true operation* of domestic manufactures on the welfare of a country, whose truth-directed pen is always followed by conviction, though conversion may not succeed to the desired extent, through the trammels of prejudice and the bustle and connections of business—we are pleased to observe is still directing his efforts to the great concern of these establishments. If success does not crown his exertions to be useful, he certainly deserves it; and the friends of manufactures have reason to be proud of such a champion to advocate their cause.

Speaking of the lately established societies "for promoting American manufactures," he has the following remarks in a private letter to the editor of the REGISTER. We think he will pardon the liberty taken in giving them to the public, if he can believe, with us, that they are calculated to subserve the public good:

"The greatest enemy we have to fear at the present juncture is that drowsy indolence and stupid lethargy into which we are apt to fall after *commencing* an enterprize apparently with some degree of spirit. We commence, with a boastful and noisy zeal, and continue a little while an enterprize of high and lofty promise, just far enough to shew that we are more than a match for our enemy to alarm him completely and to awaken all his stratagems—we then fall asleep on the very threshold of victory, and quietly suffer the unsleeping enemy to gain possession of our arms and to tie our hands. Afterwards when we feel the triumphant and insulting scourge, with anger and impotence, we kick, threaten and *scold*. If we can produce and keep up excitement enough to operate as a preventive of this disgusting lethargy, we shall deserve well of our country."

At a regular meeting of "*the society of the state of Delaware for the promotion of American manufactures*," held in Wilmington on the 5th April, Mr. *Isaac Briggs* offered the following resolutions, which, being considered, were unanimously adopted.

Resolved, as the opinion of this society, that the surplus produce of the industry of any nation, beyond the necessary wants of its own population, is the only sure foundation of its independence and wealth; and its only means of supporting the expences of its own government: That no nation can sell more of its surplus produce than other nations have an interest in buying—this interest will always be the measure of value—a greater or less *quantity* may be exported, but the *value* received in return will be regulated by the interest of the buying nation.

Resolved, That although the maxim be old and familiar, it is true, that a nation which imports a greater *value* than it can export, must soon become poor, distressed, in debt, and finally despicable. The debtor is generally, in a certain measure a slave to his creditor—and this is true of nations as well as of individuals. Labor is the foundation of wealth—and the nation which is wise enough to extend and multiply the objects of labor and to apply it properly, so that every condition in society may find the most suitable employment, will have the smallest portion of idle population, and of course will, in its trade with other nations, ensure a balance in its favor, and plenty of specie, which is the conventional measure of value between nations, the basis of confidence in every other circulating medium, and the oil which enables the grand political machine to perform its functions with an easy, regular and prosperous motion.

Resolved, That in our opinion, no maxim is more true than—"Let labor alone, and it will *best* regulate itself"—but it is true only when its application is complete and universal; when partially and imperfectly applied it is not true. If *all* nations would faithfully adhere to this maxim, in their international concerns, *each* nation might, not only safely do it, but would be unwise not to do it, internally. When the regulations of other nations affect partially, and derange our industry, it is a duty we owe to ourselves, by countervailing regulations, to

restore harmony, health and vigor to our own system. Whenever our government protects us against foreign interference and foreign competition, we will petition them to "let our labor alone."

Resolved, That as we believe, the preceding propositions are clearly founded in truth, and that the United States of America is on the verge of a crisis in which, if we do not avail ourselves of a prudent foresight, we shall be taught through extensive suffering that we *must* so far supply our own wants from our own internal labor, as to need *no more* from foreign nations than they need from us. If we need *less*, we shall have opened for ourselves a mine of wealth, richer than those of Mexico and Peru.

Resolved, That as the natural effect of free government, there is so much good sense in the people of the United States that they will not long remain ignorant of their true interests—that the prejudices, fabricated and circulated by self-interested men—such as that we wish to tax the great mass of our citizens employed in agriculture, to place in a hot-bed, and make the fortunes of those engaged in manufactures—will be dissipated like morning mists before the sun. Yet the noblest birth requires aid, and infancy requires fostering care: Therefore

Resolved, That this society will unite its efforts with those of similar societies, who may concur in the measure, to collect and embody a statistical account of our manufactures and of our industry generally, with such remarks and observations on *political economy*, as may bring the subject fully and effectually before congress at their next session, accompanied by the emphatic *voice of the people*—a voice which, in our country, never speaks in vain: And that this society will appoint one or more delegates, to meet, in convention, at the city of Washington, during the next session of congress, or at any other time and place, such delegates as may be appointed by other similar societies.

Resolved, That the president sign these resolutions, attested by the secretaries; and that the corresponding committee be and they are hereby requested and enjoined to have printed five hundred copies, to communicate them to all similar societies of which they may have knowledge, and otherwise disseminate or dispose of the same, in such manner as they may deem most conducive to the objects of this society.

E. I. DUPONT, *Vice-President.*
SELLECK OSBORN, *Secretary.*

CIRCULAR.

Wilmington, (Del.) April 17, 1817.

The committee of correspondence of *the Society of the state of Delaware for the promotion of American manufactures*, having been enjoined to communicate the enclosed resolutions—in the fulfilment of that duty, respectfully offer them to your consideration, together with the following remarks.

The subject of internal economy has become very interesting to the people of the United States. Our embarrassments already make us *feel;* and we shall feel more and more. This feeling while it awakens attention, should excite enquiry into the causes of our distress, until we are impelled to seek remedies for *past*, and, taught by experience, to establish preventive guards against *future* errors. No class of people in our country is more deeply concerned in these inquiries than the cultivators of the soil; and although the evil may reach them later than their less favored brethren, the manufacturers, yet the calamity will finally be felt pressing on them, with a certain and destructive weight, and crushing down their energies. There exists already in the United States a vast and increasing amount of fragments of opinion and correct knowledge. Light is widely spread and still spreading through every part of our land, and through every occupation. It appears to us very important that measures should be taken, without delay, to concentrate these opinions and this knowledge into *one* clear, distinct, loud and emphatic expression of the public will, addressed to congress at their next session, accompanied with a body of *facts*, and remarks, so complete and so lucidly arranged, as to dissipate doubt and enforce conviction. We apprehend that, as the cause is common to every part of the nation, the measures proposed would receive their best form and direction in a convention of delegates from the several societies. Should you concur in the measure, and such a convention be formed, how soon would it be practicable for it to meet at New-York or Philadelphia? If any thing is to be done, in this way, that it ought to be *commenced quickly* is, we think, very obvious

Signed by order and on behalf of the committee,
ISAAC BRIGGS, *Chairman.*

Land Offices.

CIRCULAR TO THE REGISTERS OF THE LAND OFFICES OF THE UNITED STATES.

General Land Office, April 29, 1817.

SIR—You will receive, with this, several blank forms of a *Meteorological Register*, to which I beg leave to request your attention.

The United States have already established *twenty* land-offices, viz: at Detroit, in *Michigan;* at Wooster, Steubenville, Marietta, Zanesville, Chilicothe, and Cincinnati, in *Ohio;* at Jeffersonville, and Vincennes, in *Indiana;* at Kaskaskia, Shawneetown, and Edwardsville, in *Illinois;* at Saint Louis, in *Missouri;* at New-Orleans, Opelousas, and north of Red river, in *Louisiana;* at Huntsville, Washington, Saint Stephens, in the territory lately acquired from the Creeks, in the *Mississippi territory.*

These offices are dispersed over a space of about *thirteen* degrees of latitude and *ten* of longitude,*

The three columns for *temperature*, *winds* and *weather*, are ruled for *three daily* observations of each, viz. in the *morning*, at 2 P. M. and in the *evening*. The column entitled *miscellaneous observations* is intended to comprehend a variety of objects, among which are the following, viz:

1. The time of the unfolding of the leaves of plants.
2. The time of flowering.
3. The migration of *birds*, whether from the *north* or *south*, particularly of *swallows*.
4. The migration of *fishes*, whether to or from the *ocean*, or other places and the time of their deposition of spawn.
5. The *hybernation* of other animals, the time of their going into *winter* quarters, and their re-appearance in the *spring*.
6. The phænomena of unusual rains and *inundations*.
7. The phænomena of unusually severe droughts. The history of locusts and other insects in unusual numbers.
8. Remarkable effect of *lightning*.
9. Snow storms, hail-storms, hurricanes, and tornadoes—their courses, extent and duration.

*"Longitude"—extending from the *great northern lakes* to the *gulf of Mexico*, and including the river *Mississippi*, with the *Ohio*, *Missouri*, *Tennessee*, *Red river*, &c.

10. All facts concerning earthquakes and subterranean changes.

11. Concerning epidemic and epizootic distempers.

12. The fall of stones, or other bodies, from the atmosphere. *Meteors*, their direction, apparent velocity, &c.—and, *particularly*, the interval between their apparent explosion and the hearing the report

13 Discoveries relative to the antiquities of the country.

14. Memorable facts as to the *topography* of the country.

A notice of any, or all, of the above articles will be highly acceptable.

I wish you to transmit your observations *monthly*, with your monthly *official* returns.

Whatever information may be thus obtained will be *public property*.

My only object being the increase of *our physical* knowledge of our country, I flatter myself you will not think my request unreasonable.

I have the honor to be, very respectfully yours,

JOSIAH MEIGS.

To the register of the land office at ——

Pennsylvania Policy.

Abstract of the general appropriation bills.

FROM THE DOWNINGSTOWN REPUBLICAN.

During the last session of the legislature, a law passed making the following appropriations.

To aid the turnpike road to Pittsburg,	$142,000
To aid in making the Schuylkill navigable,	50,000
Pittsburg, Butler, Mercer, and Meadville turnpike,	35,000
Turnpike from Reading to Hummelstown,	15,000
From the Willkesbarre and Easton turnpike, to intersect the Springhouse, Northampton and Bethlehem turnpike,	15,000
To improve the navigation of the Monongahela,	30,000
Cayuga and Susquehanna turnpike,	6,000
Bellmont and Easton turnpike,	10,000
Turnpike from Blueball, through New Holland,	12,000
For a bridge over French creek, Venango,	2,000
Bridgewater and Wilkesbarre turnpike,	10,000
Milford and Owego turnpike,	15,000
From Jersey shore through Montrose to Coudersdort,	20,000
Gap and Newport turnpike,	10,000
Huntingdon, Cambria and Indiana turnpike,	30,000
Lehigh navigation company,	30,000
Turnpike from Beaver through Greensburg to Petersburg in the state of Ohio,	15,000
Downingstown, Ephrata and Harrisburg turnpike road,	20,000
Turnpike from Perkiomen bridge to Reading,	13,000

The governor is directed to subscribe for stock to the above amount in the several companies, from which government are to have their dividends of the proceeds.

The following sums are appropriated for internal improvements:

For making a road from Lycoming across Towanda,	2,000
From Millerstown up Susquehanna,	700
Manhantango up do	1,300
Through Somerset, Fayette and Green, to the flats of Grave creek,	4,000
For building piers in the Delaware at Chester,	8,000
Improving the navigation of Big Mahoning creek.	800
Red bank creek,	1,000
Toby's creek,	200
Conemaugh,	1,500
Road from Frankstown in Huntingdon, to the town of Conemaugh,	1,500
Road from the north line of the state, in Warren, to Meadville,	3,000
Road from Easton, down the river to Romig's,	2,000
Road from Blair's Gap to the Western boundary of the state,	3,000
Road from the White Deer mountain through Ratling Gap into Nippinose valley,	500
A road in Washington township, Westmoreland county,	500
State road from Franklin county line to top of Sliding hill,	400
Road from Carlisle to Littleton, between Roxbury and Littleton,	1,600
Road from Strasburg to the top of the second mountain,	200
Road from Indiana to Pittsburg.	500
Road from Mercer to Warren in Ohio,	2,000
Improving the Glade road from top of Alleghany to Jones' mill in Westmoreland,	1,000
For making a bridge over Buffaloe creek,	600
Do. bridge over Conewago creek,	1,500
Do. do. over Loyalhanna,	2,000
Improving the big Swatara creek,	300
Do. Delaware river from Easton to the falls of Trenton,	10,000
Total,	$521,100

British Statistics.

Abstract of the net produce of the revenue, in the years ending 5th January, 1816, and 5th January, 1817; and also the total produce of the customs and excise.

	Year ending Jan. 5, 1816	Year ending Jan. 5, 1817.
CUSTOMS.		
Customs, consolidated,	£4,891,478	£4,979,154
Ditto, annual duties,	2,469,144	2,393,201
Ditto, war taxes,	3,126,900	1,008,366
Total produce of customs,	10,487,522	8,380,721
EXCISE.		
Excise, consolidated,	19,351,956	17,871,998
Ditto, annual duties,	595,950	534,124
Ditto, war taxes,	6,614,526	4,462,074
Total produce of excise,	26,562,432	22,868,196
Stamps,	5,865,413	5,969,721
Post office,	1,548,000	1,426,000
Assessed taxes,	6,214,987	5,783,320
Property tax,	14,318,572	11,559,590
Land taxes,	1,079,993	1,127,929
Miscellaneous,	366,867	341,199
Pensions, offices, &c.	16	4,016
	29,393,848	26,111,777
Total net revenue,	66,443,802	57,360,694

The Irish and Portuguese payments for the interest on their respective debts, payable in England, are excluded from this statement, and the war taxes

appropriated to the interest of loans charged on them, are included under the head of war taxes, to the quarter ending the 5th of July, 1816, inclusive, from which period the war duties of customs, (being made perpetual by act 56, Geo. III. cap. 29) are included under the head of consolidated customs.

An account of the number of vessels, with the amount of their tonnage, and the number of men and boys usually employed in navigating the same, which belonged to the several ports of the British empire on the 30th of September, 1816; distinguishing Great Britain, Ireland and the British plantations in America and the West-Indies.

	Ships.	Tonnage.	Men and boys, usually employed.
England,	17,442	2,152,968	134,060
Scotland,	2,958	263,536	18,775
Ireland,	1,178	63,229	5,681
Plantations,	3,775	279,643	16,859
Guernsey,	65	7,237	494
Jersey,	77	7,992	636
Isle of Man,	369	9,335	2,315
Tot'l regist'd Sept. 30, 1816	25,864	2,783,940	178,820

T. E WILLOUGHBY.

Custom-house, London, office of the Register-General of Shipping, 6th March, 1817.

An account of the official value of the exports from Great Britain, in each year, from 1792, *to* 1816, *both inclusive; distinguishing the value of British produce and manufactures, from that of foreign and colonial merchandize.*

OFFICIAL VALUE OF EXPORTS FROM GREAT BRITAIN.

Year.	British produce and manufactures. £	Foreign and colonial merchandize. £	Total Exports. £
1792	18,336,851	6,129,998	24,446,849
1793	13,892,268	5,784,417	19,676,685
1794	16,725,402	8,386,043	25,111,445
1795	16,338,213	8,509,126	24,847,339
1796	19,102,220	8,923,848	28,026,068
1797	16,903,103	9,412,610	26,315,713
1798	19,672,503	10,617,526	30,290,029
1799	24,084,213	9,556,144	33,640,357
1800	24,304,283	13,814,837	38,120,120
1801	25,699,809	12,087,047	37,786,856
1802	26,993,129	14,418,837	41,411,966
1803	22,252,027	9,306,468	31,578,495
1804	23,935,793	10,515,574	34,450,367
1805	25,004,337	9,950,508	34,954,845
1806	27,402,685	9,124,499	36,527,184
1807	25,171,422	9,395,149	34,566,571
1808	26,691,962	7,862,305	34,554,267
1809	35,104,132	15,182,768	50,286,900
1810	34,923,575	10,946,284	45,869,859
1811	24,131,734	8,277,937	32,409,671
1812	31,244,723	11,998,449	43,243,272
1813	The records of this year destroyed by fire.		
1814	36,092,167	20,499,347	56,591,514
1815	44,053,445	16,930,439	60,983,894
1816	36,714,534	14,545,933	51,260,467

WILLIAM IRVING,
Inspector general of the imports and exports of Great Britain.

Custom-house, London,
13th March, 1817.

National debt.—Capital stock purchased by or transferred to the commissioners for the reduction of the national debt, up to the 5th January, 1817:

Total amount purchased for G. Britain and Ireland	338,101,058*l.*	10,222,905*l.*
Funded debt of G. Britain in perpetual redeemable annuities	311,853,172	10,199,032
Excess redeemed	26,237,586*l.*	24,873*l.*

Treatment of Napoleon Bonaparte.

Letter, by order of the emperor Napoleon, addressed by general count Montholen, to sir Hudson Lowe, British governor of the island of St. Helena.

GENERAL—I have received the treaty of the 3d of August, 1815, concluded between his Britannic majesty, the emperor of Austria, the emperor of Russia, and the king of Prussia, which accompanied your letter of the 23d of July.

The emperor Napoleon protests against the contents of that treaty; he is not the prisoner of England. After having placed his abdication in the hands of the representatives of the nation for the advantage of the constitution adopted by the French people, and in favor of his son, he repaired voluntarily and freely to England, with the view of living there, as a private individual, under the protection of the British laws. The violation of every law cannot constitute a right. The person of the emperor Napolion is actually in the power of England, but he neither has been, nor is, in the power of Austria, Russia and Prussia, either in fact or of right, even according to the laws and customs of England, which never included, in the exchange of prisoners, Russians, Prussians, Austrians, Spaniards, or Portuguese, though united to these powers by treaties of alliance and making war conjointly with them.

The convention of the second of August, concluded fifteen days after the emperor was in England cannot have a right of any effect. It exhibits only a spectacle of the coalition of the four greatest powers of Europe for the oppression of a single man!—a coalition which the opinion of every nation and all the principles of sound morality equally disavow.

The emperors of Austria and Russia, and the king of Prussia, having neither in fact or in right any claim over the person of the emperor Napoleon, could decide nothing respecting him.

Had the emperor Napoleon been in the power of the emperor of Austria, that prince would have recollected the relations which religion and nature have formed between a father and a son—relations which are never violated with impunity.

He would have recollected that Napoleon had four times restored him to his throne: viz. at Leoben in 1797—at Luneville in 1804—when his armies were under the walls of Vienna—at Presburg in 1806, and at Vienna in 1809, when his armies had posession of the capital, and three fourths of the monarchy! That prince would have recollected the protestations he made to Napoleon at the bivouac in Moravia in 1806, and at the interview in Dresden in 1812.

Had the person of the emperor Napoleon been in the power of the emperor Alexander, he would have recollected the ties of friendship contracted at Tilsit, Erfurth, and during twelve years of daily correspondence.

He would have recollected the conduct of the emperor Napoleon the day after the battle of Austerlitz, when, though he could have made him with the wreck of his army, prisoner, he contented himself with taking his parole, and allowing him to operate his retreat. He would have recollected the dangers to which the emperor Napoleon personally exposed himself in order to extinguish the fire at Moscow, and to preserve that capital for him—as-

surely, that prince would never have violated the duties of friendship and gratitude towards a friend in misfortune.

Had the person of the emperor Napoleon been in the power of the king of Prussia, that sovereign could not have forgotten that it depended on the emperor, after the battle of Friedland, to place another prince on the throne of Berlin. He would not have forgotten in the presence of a disarmed enemy, the protestations of attachment and the sentiments of gratitude which he testified to him in 1812 at the interviews in Dresden.

It accordingly appears from articles 2 and 5, of the treaty of the second of August, that these princes being incapable of exercising any influence over the disposal of the emperor, who was not in their power, accede to what may be done thereon by his Britannic majesty; who takes upon himself the charge of fulfilling every obligation. These princes have reproached the emperor Napoleon with having prefered the English laws to theirs. The false ideas which the emperor Napoleon had formed of the liberality of the laws England, and of the influence of the opinion of a great, generous and free people, over their government, decided him to prefer the protection of these laws to that of a father-in-law or an old friend.

The emperor Napoleon had it in his power to secure, by a diplomatic treaty, whatever was personal to himself, by putting himself either at the head of the army of the Loire, or at the head of the army of the Gironde, commanded by general Clausel; but wishing, henceforth, for nothing but retirement, and the protection of the laws of a free state, either English or American, all stipulations appeared to him unnecessary. He conceived that the English people were more bound by a conduct which was, on his part, frank, noble, and full of confidence, than they would have been by the most solemn treaties. He had been deceived, but his error will for ever cause true Britons to blush, and will, in the peesent as well as the future generations, be a proof of the bad faith of the English administration.

Austrian and Prussian commissioners are arrived at St. Helena. If the object of their mission be the fulfilment of a part of the duties which the emperors of Austria and Russia have contracted by the treaty of the 2d of August, and to take care that the English agents in a small colony in the midst of the ocean, do not fail in the respect due to a prince connected with these sovereigns by the bonds of relationship, and so many other ties, proofs of the character which belong to those two monarchs will be recognized in this proceeding; but you sir, have declared that these commissioners have neither the right nor the power of giving any opinion on what may be passing on this rock.

The English ministers have caused the emperor Napoleon to be transported to St. Helena, at the distance of 2000 leagues from Europe! This rock, situated within the tropics, and 500 leagues from any continent, is subject to the devouring heats of these latitudes. It is covered with clouds and fogs during three-fourths of the year, and is at once the most arid and the most humid country in the world. Such a climate is most inimical to the health of the emperor, and hatred must have dictated the choice of this residence, as well as the instructions given by the English ministry to the officers commanding in the island.

They have even been ordered to call the emperor Napoleon, general, as if it were wished to oblige him to consider himself as never having reigned in France.

The reason which determined him not to assume an incognito name, as he might have resolved to do on leaving France, were these: first magistrate for life, of the republic, under the title of first consul, he concluded the preliminaries of London and the treaty of Amiens with the king of Great Britian: and recieved as ambassadors, lord Cornwallis, Mr. Mercy, and lord Whitworth, who resided in that quality at his court.

He accredited to the king of England, count Otto and general Andressi, who resided as ambassadors at Windsor. When, after an exchange of letters between the ministers for foreign affairs of the two monarchies, lord Lauderdale came to Paris invested with full powers from the king of England: he treated with the plenipotentiaries possessing full powers from the emperor Napoleon and remained for several months at the court of the Thuilleries; when lord Castleragh afterwards signed, at Chatillon, the ultimatum, which the allied powers presented to the plenipotentiaries of the emperor Napoleon, he recognized by that the fourth dynasty. This ultimatum was more advantageous than the treaty of Paris, but in exacting that France should renounce Belgium and the left bank of the Rhine, it exacted what was contrary to the propositions of Frankfort and the proclamations of the allied powers—what was contrary to his oath, by which at his coronation the emperor swore to maintain the integrity of the empire. The emperor, besides, thought that these natural limits were necessary both for the security of France and to preserve the equilibrium of Europe; he thought that the French nation in the situation in which it was, ought rather to run the hazard of all the chances of war than to depart from that policy; France had obtained this integrity, and would have preserved it with honor, if treason had not arrayed itself in aid of the allies.

The treaty of the 2d of August, and the act of the British parliament called the emperor Napoleon —Bonaparte, and gave him only the title of general. The title of general Bonaparte is doubtless eminently glorious—the emperor bore it at Lodi, at Castiglione, at Elvoll, at Arcole, at Leoben, at the Pyramids, at Aboukir; but for seventeen years he has borne that of first consul and emperor, which proves that he has been both first magistrate of the republic, and sovereign of the fourth dynasty.—Those who think that nations are flocks which belong of divine right in certain families, do not belong to the age nor do they participate in the spirit of the English legislature, which has several times changed the order of its dynasty because great changes had taken place in public opinion, in which the reigning princes not participating, they became enemies to the welfare of the great majority of the nation, for kings are only hereditary magistrates, who exist for the welfare of nations, and not nations for the satisfaction of kings.

It is in the same hateful spirit that orders have been given that the emperor Napoleon shall not be allowed to write or receive any letters, unless they are opened and read by the English ministers and the officers at St. Helena. They have interdicted to him the possibility of receiving intelligence from his wife, his mother, his son, or his brothers; and when in order to avoid the inconvenience of having his letters read by subaltern officers, he wished to send letters sealed to the prince regent, he was told that the order could not be departed from, and that the letters must pass open, such being the instructions of the ministry. This conduct

needs no observation; it gives rise, however, to strange ideas as to the spirit of the administration which could dictate what would be disavowed even at Algiers. Letters have arrived at St. Helena, for the officers in the suite of the emperor; they were broken open and transmitted to you, but you have not communicated them, because they did not come through the channel of the English ministry. Thus they had to go back 4000 leagues; and these officers had the grief of knowing, that there was intelligence on the rock, from their wives, their mothers, their children, and that they could not know the nature of it for six months—the heart must solace itself.

They could not obtain either the Morning Chronicle, the Morning Post, or any French journals.—Now and then a few stray numbers of the Times reached Longwood. In consequence of a request made on board the Northumberland, some books were sent but all those relative to the affairs of late years have been carefully kept back. He wished to correspond with a bookseller in London, in order to have direct the books which he wanted, and those relative to the events of the day—this was prevented—An English author, having made a tour to France, and having published an account of it in London, he took the trouble to transmit it to you, in order that it might be presented to the emperor; you thought proper not to transmit it because it was not sent to you by the express desire of your government. It is said also, that other books sent by their authors have not been trasmitted, because some of them were inscribed to the emperor Napoleon, and others to Napoleon the Great. The English ministry is not authorised to order any of these vexations; the law, although unique, by which the British parliament regards the emperor Napoleon as a prisoner of war, has never prohibited prisoners of war from subscribing to journals or receiving printed books—such a prohibition only takes place in the dungeons of the inquisition.

The island of St. Helena is ten leagues in circumference; it is inaccessible every where; brigs surround the coast; posts are stationed on the shore within sight of each other, which render impracticable any communication with the sea. There is only one small town (James' town,) where there is an anchorage, and where vessels touch. To prevent an individual from quitting the island, it is sufficient to guard the shore by land and sea. To lay an interdict on the interior of the island can, therefore, have no other object than to deprive him of a promenade of from eight to ten miles, which it would be possible to make on horse back, and the privation of which will shorten the life of the emperor. The emperor has been established at Longwood, exposed to every wind, and where the land is sterile and uninhabitable, without water, and not susceptible of any cultivation. There is a circuit marked out of about 1200 toises, at about 11 or 1200 distance a camp is established on a hill, and another camp in an opposite position at the same distance; in short, in the midst of the heat of the tropic there is nothing to be seen but camps. Admiral Malcolm having learnt the utility which the emperor would derive from a tent in that situation, caused one to be set up by the sailors, at twenty paces distance in front of the house; it was the only place in which a shade could be found.—The emperor had as much reason to be satisfied with the spirit that animated the officers and soldiers of the brave 53d regiment, as he had been with the crew of the Northumberland.

"The house at Longwood was built to serve as a barn for the company's farm; the deputy governor of the island had since built some chambers; it served him for a country house, but it was not in a proper habitable state; workmen have been employed at it for a year, and the emperor has been continually subjected to the inconvenience and insalubrity of inhabiting a house in the progress of building. The chamber in which he sleeps is too small to contain a bed of ordinary dimensions, but every alteration at Longwood prolongs the inconvenience of having workmen there. There are, however, in this miserable territory, beautiful situations, presenting fine trees, gardens, and good houses. There is besides, Plantation house; but the positive intructions of government forbade you from giving up this house, although much expence would thereby have been saved to your government—an expence incurred in fitting up at Longwood a hut, covered with paper, which is already unserviceable.

You have interedicted all correspondence between us and the inhabitants of the island—you have, in fact, placed the house at Longwood *au secret*—you have even prevented any communication with the officers of the garrison; it seems, therefore, to be your study to deprive us of the little resource which this miserable territory affords, and we are here just as we should be on the insulted and uninhabited rock of Ascension.—During the four months that you have been at St. Helena, you have, sir, rendered the situation of the emperor much worse. Count Bertrand has observed to you that you even violate the laws of your legislature, and that you trample under foot the rights of general officers, prisoners of war.—You have replied, that you act according to the letter of your instructions, and that your conduct to us is not worse than what is dictated by them.

I have the honor to be,
Your very humble and very ob'dt. serv't,
(Signed)
The general Count DE MONTHOLON.

After I had signed this letter, I received your's of the 17th August, in which you subjoin the account of an annual sum of 20,000*l.* sterling, which you consider indispensable for the support of the expences of the establishment at Longwood, after having made all the reductions which you thought possible. We do not think we have any thing to do with the discussion of this point—the table of the emperor is scarcely provided with strict necessaries, and all the provisions are of the worst quality. You ask of the emperor a fund of 12,000*l.* sterling, as your government will only allow 2,000*l.* for all the expences. I have already had the honor of informing you that the emperor had no funds, that for a year past he had neither written nor received any letter, and that he is altogether ignorant of what has passed, or is passing in Europe. Transported by force to this rock, without being able to write or to receive any answer, the emperor is entirely at the mercy of the English agents. The emperor has always desired, and is still desirous, to provide himself for all his expences, of whatever nature, and he will do it as soon as you render it possible by taking off the interdiction laid upon the merchants of the island, with regard to his correspondence, and directing that it should not be subjected to any inquisition on your part or by any of your agents. Thenceforth the wants of the emperor would be known in Europe, and those persons who interested themselves in his behalf, might send him the funds necessary to provide for them.

The letter of lord Bathurst, which you have communicated to me, gives birth to strange ideas. Are your ministers then ignorant that the spectacle of a great man in captivity and adversity is a most sublime spectacle? Are they ignorant that Napoleon at St. Helena, in the midst of persecution of every description, to which he opposes nothing but screnity, is greater, more sacred, and more venerable than when seated upon the first throne in the world, where for so long a time he was the arbiter of kings? Those who, in such a situation, are wanting to Napoleon are blind to their own character and that of the nation which they represent. MONTHOLON.

☞This letter occasioned an interesting debate in the British parliament and formed the groundwork of lord Holland's motion for an enquiry into the personal treatment of the ex-emperor. The charges contained in it, however, were denied by the English ministry, on which lord Holland's motion failed. The following is from a London paper of March 11—

We cannot help differing with those who are inclined to blame lord Holland for bringing forward his motion yesterday, relative to the treatment of Bonaparte. For it drew forth a decisive and official refutation of all the complaints of ill treatment alleged against our government; it exposed the mean and base arts which had been resorted to, to calumniate us, and it proved beyond the possibility of doubt the absolute necessity of applying to Bonaparte the most wacthful and incessant restrictions. For the sake of more clearness we shall state the heads of the charges (A.) and secondly the refutations (B)

(A.) 1. The charges are, that he has been exposed to additional restrictions with respect to the space allotted him for exercise.

2. That at those hours most proper for exercise, all ingress or egress from Bonaparte's residence, Longwood, are interdicted.

3. That he was prevented from procuring such books as he may want, or from subscribing to the journals.

4. That he is not allowed to send a sealed letter to the prince regent, nor to correspond with nor receive letters from his wife, friends, or relatives.

5. That he is debarred the means of writing an account of his former acts.

6. That the sum of his maintenance has been reduced to 8000*l.* a year, and that the supplies for his table are scanty and inadequate.

Such are the charges. The refutations are as follows:

(B.) 1. During the first period of his confinement he had a circumference of no less than 12 miles to ride or walk in without the attendance of any officer—which range had not been reduced till it had been found that he had abused that confidence reposed in him by tampering with the inhabitants. That range was now reduced to eight miles instead of twelve, and within that boundary he might at present walk without the attendance of any officer. Beyond those limits he might go over any part of the island, attended by an officer of rank not lower than a captain in the army.

2. Though he has not free passage through the island after sun-set he may at any hour walk in his garden. Sentinels are stationed there after sun-set, and he expressed his dislike to walk when he was thus watched. Sir H. Lowe, with every desire to attend to his wishes, after that, fixed the sentinels in places where they would look on him. Would any one wish these sentinels to be removed altogether just at the time when it was most likely that he should escape?

3. Soon after Bonaparte's arrival at St. Helena, he expressed a wish for some books to complete his library, and a list was made out by general Bonaparte himself, and transmitted to this country. This list was sent to an eminent French bookseller in this town, with other orders to supply such of the books as he had, and to obtain the rest from other booksellers. As several of the books were not to be obtained in London, the bookseller was desired to write to Paris for them. He accordingly obtained some of them from Paris. These books to the amount of 13 or 1400*l.* worth, were sent, with an explanation of the circumstances which prevented the others from having been sent.

Newspapers have been refused, from a knowledge that attempts have been made, through them, to hold correspondence with him.

4. He might have sent any letter to the prince regent, but not sealed. The ministers, who are responsible, must know the nature of such a letter, but it would certainly have reached his royal highness. He may likewise send and receive letters from his wife or relations, but they must be opened: they will then be sent as addressed. Only one of his relations, his brother Joseph, has written to him, and that letter was forthwith forwarded to him.

5. No attempt has been made to prevent him from writing any account of his life.

6. Eight thousand a year has been deemed a fair permanent allowance for his maintenance; but Sir Hudson Lowe thinking the establishment of Bonaparte could not be provided for suitably under 12,000*l* a year, the latter sum was immediately agreed to.

With respect to provisions and wine, it need only to be stated, that for nine persons, the number connected with Bonaparte, there are allowed eleven dozen of wine; (Claret, Champagne, &c.) weekly.

Such, then, is the manner in which we treat Bonaparte—a manner in which, if there be any room for condemnation, we are quite sure it will not be on the score of its being too illiberal, harsh, or vindictive. Thanks, we repeat, are due to lord Holland for affording so official and decisive an opportunity of putting down the charges brought against us.

Foreign Articles.

ENGLAND, &c.

SUMMARY.—*London dates of March* 29—Many arrests have been made in Scotland. *Cobbett* has discontinued the publication of his Political Register, and published a farewell address in the London "Statesman," of March 25. Lord Castlereagh had declared it the intention of government to observe a strict neutrality between Spain and her revolted colonies. The princess of Wales, curiously attended by several Turks, was at Munich, March 25. 3 or 400 vessels had been chartered to bring wheat from the Baltic. Seven officers of the army broke their swords when they heard of the suspension of the habeas corpus, and immediately prepared to embark for the United States. Gen. Boyd, late of the U. S. army, has been presented to the prince regent by general Drummond. The royal assent has been given to the "*royal marine military bill.*"

LATER.—*William Cobbett* and his two sons, have arrived at New-York, in the ship Importer.

Tea.—The amount of tea consumed in England

in 1814, was 24,640,000*lbs.* and the duty on it, sold for internal consumption, amounted to 4,130,000*l.* Last year the consumption was 20,480,000*lbs.* and the duty collected less than 3,000,000*l.*—a great falling off in two years.

The prince regent is extolled to the skies because, to relieve the people of Great Britain, he has proffered to resign 50,000*l.* of his income derived for *personal* services. A single *supper* that he gave cost the nation as much, and the *wedding dress* of his daughter relieved the treasury of a like sum. The following bill of expenditures may shew the *value* of the sacrifice he has made in his 50,000*l.* relief.

George, prince regent.

Furniture for Carlton-house and the Pavilion, *for one quarter*, ending in July,	*l.* 20,451	15	6
For work done at Carltonhouse, under the direction of Mr. Wyatt,	6,900	0	0
Ditto, under the direction of Mr. Nash,	22,600	0	0
For the breeding stud at Hampton, and inclosing the paddocks, &c.	22,418	18	4
Coachmaker, for *one quarter*,	2,300	0	0
Laceman, for *do.*	1,600	0	0
Harnessmaker, for *do.*	6,175	0	0
For journies with the emperor, and king of Prussia, &c.	10,000	0	0
Expence of the preparations for a *grand fete, ball* and *concert*, at Carltonhouse, including the temporary room in the garden,	26,500	0	0
	l. 118,945	13	10

FRANCE.

A work, called "*Carnot*," has been seized in the press, at Paris.

Marshal Macdonald, it is said, is about to marry mad. Murat.

Nineteen theatres are daily opened for the amusement of the Parisians—and things seem settling down to their old establishment.

The French papers are dullness itself—the restraint of the liberty of the press has destroyed its life.

Paris, March 17.—The clergyman who refused to give absolution to a young lady, on the eve of her marriage, because her intended husband, M. Picard, was a dramatic writer, has been condemned to one month's detention at the seminary, by the metropolitan chapter.

SPAIN.

The property of the "prince of peace" still remains under sequestration in Spain.

By a decree of March 2, fifty-five books are prohibited by the Spanish government.

ITALY.

The emperor of Austria has proposed to the king of Sardinia to make, at their common expence, a canal from the Adriatic to the Gulph of Genoa.

The pope has restored the little republic of St. Marino.

Preparations are making at Leghorn for transportation of the archduchess, Leopoldine, to the Brazils, where she is to marry a Portuguese prince. If she will wait a little, this purpose may be effected without a voyage across the Atlantic, perhaps.

GERMANY, &c.

An Austrian frigate of 36 guns, is about to sail from Trieste for the Brazils with an ambassador.

The editors of the Prussian newspapers, have been, it is said, forbidden to insert any articles respecting the interests of the Prussian manufacturers, with relation to the importation of foreign goods. Some violent sallies upon this subject are supposed to have given rise to the prohibition.

RUSSIA.

Vessels are fitting in Russia for another voyage of discovery. They have already one vessel out on such a voyage.

The prodigious exportation of grain from Odessa forms a striking article in the German papers.—They state, that last year there were exported from that place, in 1366 ships, goods to the amount of 5,406,000 roubles, and only to the amount of 408,600 roubles imported. Among the 846 large ships which arrived, were 407 Russians, 258 English, 101 Austrian, 25 French, 23 Turkish, 15 Swedish, &c.

Augsburgh, March 9.—Scarcely had the peasants of Esthonia been declared free, when already an important step is taken in Courland, to restore the rights originally common to all classes of society. At the assembly of the states at Miethu, the military governor of the Province, Marquis Palucci, expressed the wish of the emperor—

"That the nobility of Courland, following the example of civilized states, might secure the respectable class of husbandmen, in their relations, by express laws."—"Born," said the speaker, "in a country (Italy) where without personal freedom every one thinks the existence of man destroyed, I should feel myself supremely happy, if I could see in my new country, the class of peasants elevated by giving them a legal existence to a free sphere of action, and their lot secured by law formed with the assistance of your own deliberations.

The intellectual improvements which had advanced in emulation of the parent state, cannot be deaf to the imperious voice of the spirit of the times.—With the liberality of sentiments that distinguishes your illustrious body, it must appear to you a slight sacrifice to transfer the authority exercised by yourselves to the regular appointed judge, as it must be easy for you to renounce the idea, that, in order to improve the political existence of the peasantry, a certain maturity must be waited for. Whereas it is precisely the state of slavery, which notwithstanding all physical advantages, opposes invincible obstacles to this maturity."

The nobility hereupon declared themselves ready to answer to the paternal desires of the monarch, and, by contributing to the improvement of the situation of the peasantry, to show themselves worthy of the emperor's confidence.

ASIA.

The rajah of Nepaul and his son have died of the small pox, lately introduced into and making dreadful ravages among the people. One of his wives, a concubine, and five of their attendants, were burnt alive on his funeral pile, according to the terrible forms of the east.

The Canton viceroy and mandarins are said to have assured captain Maxwell, that the firing on the British frigate Alceste, was entirely owing to mistake—as it was intended to salute him.

The Prussian captain, Gallownin, three years a prisoner at Japan, is about to publish a narrative.

A French frigate and corvette are about to sail to survey New-Holland. The British have also given orders for a survey.

Calcutta, December 16, 1816.—We copy the following singular advertisement from the Madras Gazette of November 16th. Our readers may smile at the credulity of the Newaub, but we believe him to have been very sincere, in the expectations held out by his notice:

"Notice.—Nawaub Majood ull Dowlah Behauder,

begs to inform his friends and the public, that the Mohurrum Feast commences on Friday the 22d of November instant, and will continue till the 30th of the said month of November, and Nawaub Majood ull Dowlah Behauder also begs to inform, that he will celebrate the said feast in the Mount road, at a spacious upper roomed house, called Ubbaussy Baug, at the corner of the road leading to the late Mr. Fallofield's garden, and which will be very beautifully performed with abundance of lights, &c. The lighting, &c. will begin at 7 every night, and end at three (3) in the next morning, with lights of every kind to the amount of 50,000.

"The friends and public of every description who wish to come and see the same, no prevention will be made from the above said date to the end of November, in Ubbaussy Baug, or place of worship; in the first entrance of the house a row of lights will be placed and chairs, &c. will be put in a verandah, facing the image; and also Nawaub *Majood ull Dowlah Behauder*, trusts that gentlemen or ladies of any description will sit in the said varandah; there are railings put and he trusts that no person will go within the same, and he further begs to inform that the same, is a very devoted place, and if any person or persons make a supplication for any thing such as for having issue, wealth, &c. and promising to make an offering to the said place; the diety will in the space of one year or six months comply with their request, for many persons of different descriptions have supplicated many things which were complied with, and he further begs to state that the same lighting, &c. will again be performed on the following days, viz.—

On the 2d December, 9th December, 19th December, 5th January, 1817, 6th January, 7th January, 8th January, 16th January, 17th January, 18th January."

WEST INDIES.

It is stated that the British naval force, on the Jamaica station, is to be augmented by the addition of ten sloops of war—to keep in check the armed vessels of Spain and her revolted colonies.

The people of *Cuba* are said to be "well-inclined" to the patriots—often coming off at night and supplying the privateers with provisions, from which some infer that the island will shake off its allegiance to Ferdinand.

SOUTH AMERICA.

The port of *Pernambuco* is declared open to all nations—the Portuguese excepted. The new government, it is said, have sent an account of their proceedings to the United States. Every thing seems to go on very well there. A letter from Pernambuco says, "this province or captaincy contains three millions of inhabitants." This cannot be true—the population of all Brazil, exclusive of Indians, can hardly exceed that number, scattered over an immense territory. The city of Pernambuco may contain about 45,000 inhabitants, and is a place of great trade, last year exporting 17,000 bales of cotton to England. The people are much attached to those of the United States.

The present head of the new government is *Domingos Jose Martins*—reported to be exceedingly well qualified for the station.

The royal governor of Chili was captured at Valparaiso, where he was about to embark with two millions of dollars.

Washington's birth day was celebrated in high stile at Buenos Ayres, by the citizens of the United States then at that place, joined by some distinguished S. A. patriots. The toasts were good—Gen. *Carrera* gave the following volunteer—"The generous North Americans; to whom this country is in gratitude eternally bound."

It was believed at Cadiz that two of the patriot privateers, joining their forces, had captured, after a smart action, a very rich galleon, destined for that port, off the Canaries. *We hope it is true!*

A Carthagenian privateer off the Balize is reported to have captured a Spanish vessel with 500,000$ in specie on board, and a cargo of Guatamala indigo nearly of the same value!

While half a dozen Spanish vessels of war are in Havana, their active enemies, the patriot privateers, often capture vessels and carry them off within sight of the Moro castle.

☞That the South Americans will ultimately work out their emancipation, (unless a stronger power than that of Spain and Portugal, united, shall be raised up against them in Europe, of which, happily, there is not any prospect at present) is apparently certain. But, as observes a friend, in a letter to the editor of the REGISTER—"it will necessarily be a long and suffering struggle; and "without it they would not be prepared for the "correct estimate or right enjoyment of liberty.—"they are now at school, and must pass through "all the gradations before they can become free-"men. England is what bad men have made her—"poor and miserable; and so she will continue until "church and state are severed, and *mind* assumes "the power which now is in the hands of *appetite*." "If the United States will open their eyes to their "true interests, and depend on their own industry "and resources instead of those of Europe, they "may soon become truly independent—and not ea-"sily so without it."

Indian Captives.

FROM THE GEORGETOWN (KY.) PATRIOT.

That a number of prisoners taken since the commencement of the late war by the indians, yet remain, we fear there can be no doubt. Some time in the month of January last, we received information by the return of one of our citizen soldiers, detained in indian captivity, that there were a number of American captives, yet behind, in the same situation (perhaps on lake Huron.) He also gave particular information of a musician, by the name of Fant, or Vant, who was in possession of an indian near Quebec.

We have received for publication the following copies of letters, the result of enquiries made by our government on that subject.

Copy of a letter from Richard Rush, acting secretary of state, to col. R. M. Johnson, dated,

Department of state, March 19, 1817.

SIR—I have the honor to send you the copy of a letter from Mr. *Bagot*, to this department, and its enclosure, one to him from the governor general of Canada, on the subject of certain American prisoners, who were supposed to be still held in captivity by the indians upon lake Huron, in whose cases you have taken so much interest.

It would seem, from governor Sherbrook's letter, that no such person as *Thomas Fant* or *Vant*, particularly mentioned by you, was known to ever have been in Quebec. As governor Sherbrooke says, however, that some individuals may possibly be yet in captivity in the neighborhood of lake Huron, (meaning, it is presumed, American citizens,) and that he would avail himself of any information which might be communicated through this government, for the discovery of such, with a view to their release and their restoration to their families and

friends, you will readily, I am fully persuaded, furnish this department with all the information that you may obtain on this subject.

I have the honor to be, with very great respect and consideration, sir, your obedient servant,

RICHARD RUSH, *Acting secretary of state.*

Hon. *Richard M. Johnson.*

Copy of a letter from H. B. M. minister to the acting secretary of state, dated,

Washington, March 15, 1817.

SIR—Upon the receipt of Mr. Monroe's letter of the 28th January last, respecting certain American prisoners who were supposed still to be held in captivity by the indians upon lake Huron; I lost no time in writing to the governor general of Canada, requesting that he would direct a minute enquiry to be made into all the circumstances stated in Mr. Monroe's note, and in the event of its appearing that the prisoner in question, or any other citizen of the United States were still forcibly detained by the indians, that he would use his utmost endeavors to procure their immediate release.

I have now the honor to enclose to you a copy of the letter which I have received from sir John Sherbrooke, upon the subject of these prisoners.

From this letter there appears reason to hope that the information which has been given in respect to them, may be found to be correct; but the governor general will not cease to use every exertion in his power to ascertain their fate, and if the government of the United States can furnish me with any additional information which may serve, in any degree, to assist his excellency in his enquiry, I shall not fail to put him immediately in possession of it.

I have the honor to be, with the highest consideration, sir, your most obedient humble servant,

CHARLES BAGOT.

The Hon. R. Rush.

Copy of a letter from sir John Sherbrooke, governor general of Canada, to his excellency Charles Bagot.

Castle of St. Lewis, Quebec, Feb. 19, 1817.

SIR—On the subject of Mr. Monroe's letter, I have made every possible enquiry here, and cannot learn that the American therein mentioned of the name of *Fant* or *Vant*, was ever in Quebec.

You will naturally perceive how highly improbable it is, that an indian, having a prisoner in his possession, which they were invariably, as far as possible, prevented during the war from retaining, should ever have brought him to Quebec. But if an indian had so done, it is scarcely necessary that I should remark to you, how absolutely impossible it is, in such a city as this, he could at any time, much less in peace, detain in custody an American citizen against his consent; and this too while numbers of the inhabitants of the United States are visiting or residing among us.

After the most minute enquiry, I cannot learn that Joseph Faudrie himself, the informant of the circumstance referred to, has been in Quebec, and can hardly conceive it credible that he could have been brough here a prisoner in custody of an indian.

It is, however, possible, notwithstanding all the efforts of our officers and troops to prevent it, that their may yet be some individuals in captivity in the neighborhood of lake Huron. On this subject I have not failed to write imediately to that part of the country,and you may assure the government of the United States, that if I can discover, or if they can by further information, assist me in discovering any such, no exertions shall be spared by me to effect their release and restoration to their families and friends.

I have the honor to be, &c. &c.

J. C. SHERBROOKE.

His ex. the right hon. Charles Bagot.

The following article, from the Sag Harbor Recorder of last week, proves that governor Sherbrooke was mistaken in supposing that there were no Americans in captivity by the Indians in the neighborhood of Quebec:

"The schooner Lydia, Johnson, from Quebec for New-York, having sprung aleak at sea, was run on shore in Long-Island Sound, near a place called the Old Man, on Tuesday morning last. Came passenger in the Lydia, Benjamin Powell, John Brown, Elizabeth Smith and Sarah Roberts, *all of whom have been prisoners to the Indians;* by whom Mr. P's wife and five children were murdered. Mr. P. after having been cut and mangled in a most shocking and barbarous manner, was left on the floor of his own house for dead; but fortunately some of the Indians returned in a few days, and finding him alive, took him, bound up his wounds, and, by the aid of an Indian doctor, cured him. Mr. P. has lost the use of his right arm, by a cut with the tomohawk, in the shoulder. Mr. P. states that he, and three others, were sold to a Mr. Randal M'Donald, an Indian trader, for five gallons of rum. Mrs. Smith and Roberts had both their husbands and several children murdered by the savages. Mr. P. left this place on Wednesday last for New-London, and from thence to Providence (R. I.) the place of his nativity. The other passengers in the schooner have gone to New-York."

CHRONICLE.

Mr. *Grosvenor*, late a member of congress, from New-York, recently died at Baltimore. And Mr. *King*, late also a member from Massachusetts, has died at Saco.

The freight bills of the steam-boat Ætna, from New-Orleans to Louisville, amounted to more than $22,000.

New-York election.—There has been a warm contest in the city of New-York for assemblymen—Clintonians and Anti-Clintonians. The latter beat the former by a majority of 1900 votes.

American vert antique marble.—A quarry of very beautiful marble was not long since discovered at Milford, Connecticut, and is now worked. A small supply has been received at Baltimore, by one of our stone-cutters, who advertises that he is ready to receive orders to work it up. This marble is of singular beauty—the ground color is chiefly of grey and blue, interspersed with olouds, spots and veins of white, black and green. It takes a fine polish; and for those purposes where elegant ornaments are required, renders us independent of the old world.

Indian hostility.—The late outrages of the southern Indians are attributed to the continued intrigues of the infamous *Woodbine*, now said to be resident at the mouth of Sewanee, where there is a fort and block house. Besides exciting the Indians to murder and robbery, it seems he is carrying on a trade with *Cuba*, in slaves, inveigled from the United States. Government appears to be impressed with some facts of this nature, from the late marching of troops for the Lower Creek country; and if it be true, that *Woodbine* has a fort and is carrying on the operations attributed to him, we hope it may meet the fate of that at Appalachicola. If the Spaniards lose their neutral character, why should we respect it?—

if they are unable to control such proceedings, we must do it.

Many emigrants are arriving from Europe—some of whom, it is stated, bring with them a good deal of money.

Wheat.—This grain, which was so promising a few days ago, we are told, is very extensively injured by the Hessian fly.

Dreadful. The following is from the (Baltimore) Merchants' Coffee House books:

Capt. M'Donald, of the British schooner Margaret, reports that on Monday last at half past 6 o'clock, P. M. when he came into the bay, discovered a Buenos Ayres brig, commanded by com. Chaytor and a schooner under the same flag, (formerly the Romp) anchored a short distance from her, near cape Henry—a pilot boat was near the schooner supposed to be delivering powder, when, says capt. M. "the most shocking spectacle I ever witnessed was in the explosion of the schooner; she ascended the air in a blaze of fire, and not a vestige of her was afterwards seen; the boat near her is supposed to have shared the same fate; the concussion was so great, and shook my vessel so, we thought she had struck the ground" It is since reported by Thomas' pilot boat, that 22 lives were lost in the schooner.

BY THE PRESIDENT OF THE UNITED STATES.

Whereas by an act entitled "an act providing for the sale of the tract of land at the lower rapids of Sandusky river," passed on the 27th day of April, 1816, it was enacted that all the lands in the said tract, except the reservations made in the said act, should be offered for sale to the highest bidder, at Wooster, in the state of Ohio, under the direction of the register of the land office, and the receiver of public monies at Wooster, and on such day or days as shall, by a public proclamation of the president of the United, be designated for that purpose: And whereas by an act entitled "an act providing for the sale of the tract of land at the British fort at the Miami of the Lake, at the foot of the rapids, and for other purposes," passed the 27th day of April, 1816, it was enacted that all the land contained in the said tract, except the reservations and exceptions made in the said act, should be offered for sale to the highest bidder, at Wooster, in the state of Ohio, under the direction of the register of the land office, and the receiver of public monies at Wooster, and on such day or days as shall by a public proclamation of the president of the United States be designated for that purpose.

Wherefore, I, JAMES MONROE, president of the United States, in conformity with the provisions of the acts before recited, do hereby declare and make known that the lands authorised to be sold by the first mentioned act, shall be offered for sale to the highest bidder at Wooster in the state of Ohio, on the first Monday in July next, and continue open for seven days and no longer; and that the lands authorised to be sold by the last mentioned act, shall be offered for sale to the highest bidder at the same place, on the third Tuesday in July next, and continue open for seven days and no longer.

Given under my hand, this 15th day of April, 1817.

(Signed) JAMES MONROE.

By the president,

J. MEIGS,

Commissioner of the general land office.

The elegant piece of brass ordnance landed on Buchanan's wharf, west side of Rutgers' slip, was brought from Virginia, where it has remained in the bottom of York river since the American revolution. It was lately raised by means of a diving bell, in four fathoms' water, partly imbedded in the sand. It appears to be no way injured, corroded or incrusted, by lying between thirty and forty years on the sandy bottom of the river. It is stated to have been lost before or about the taking of Cornwallis at York, by general Washington.

The slings gave way while lowering the cannon into a scow, intended to convey it to the shore; but its enormous weight burst the scow asunder, and it went to the bottom.

Upon examining the piece, it was found to measure 11 feet 10 inches in length, and its calibre capable of carrying a 32-pound ball. It is elegantly carved about the butt end and other places, and contains several inscriptions and devices. On the upper part near the muzzle, are the words, "*Le Divertissant*, which appear to have been meant as a name for the piece, and may be properly translated, *The Sportsman.* Below that, are the Latin words "*ultima ratio regum*," royal logic, or literally translated, *the last resort of kings.* Further on is inscribed, "*Le Marechal De Hamiers*," with a coat of arms, probably of that general. Beneath that are the Latin words—"*Pluribus nec impar.*" This inscription would seem to convey the value of ordnance when compared with small arms, and would therefore be considered, by translation, as *equal to many* small arms. Around the butt of the cannon are carved the words, *Killeri Tiguro Helvitii F. D* 1680—which may be rendered thus: "*Keeler Tiguru (or Tigurus) of Switzerland, made this piece of ordnance at Douay, in* 1680.

By these inscriptions it appears that the piece is 137 years old, and was cast by a Swiss at the celebrated foundery of Douay, in the French Netherlands, established by Lewis the 14th, when, in the height of his glory, he endeavored to subjugate and control all Europe. Humiers was one of his generals, and probably from the esteem of his sovereign, had the liberty of inscribing his name upon this piece, attached to his division of the army. Marshal Humiers was beat at Walcourt in 1639, by the allied armies under the prince of Waldec.

SAMUEL AKERLY.

Since writing the above, the cannon has been removed to the coffee-house. It is worthy the attention of the state or the United States, and ought to be purchased by one or the other of them.

[*New-York Gaz. April* 22.

SPLENDID PAPER.—From the Democratic Press, of April 30—*The declaration of independence*—We have this day received from the paper mill of Mr. *Thos. Amies*, the paper on which we intend to print the splendid edition of the declaration of independence, which, for the fourteen months last past, has been under the graver. The paper is believed to be of a size and quality *superior* to any ever manufactured in the United States. The moulds, felts, &c. were all of the best kind, and manufactured for the purpose. The paper weighs *one hundred and forty pounds*, and the price is *one hundred and twenty-five dollars* a ream. Cotton rags were altogether excluded, and the finest linen only has been worked up. The size is rather more than 36 by 26 inches. We flatter ourselves that the paper is such as will do credit to the state of the art of paper-making in the United States.

SINGULAR CUSTOMS.—The errors of the human mind are sometimes so ridiculous that we can scarcely give credit to them. In Egypt it was formerly a custom for the master of the house in which a cat died to shave his left eye-brow, as a token of grief.

NILES' WEEKLY REGISTER.

No. 12 of Vol. XII.] BALTIMORE, SATURDAY, MAY 17, 1817. [whole no. 298.

Hæc olim meminisse juvabit.—VIRGIL.

PRINTED AND PUBLISHED BY H. NILES, AT THE HEAD OF CHEAPSIDE, AT $5 PER ANNUM.

We have again a rich and various feast for our readers—among the articles is an account of the imports of the United States (a work of much extra mechanical labor) and the report on the Delaware and Raritan canal, commenced in the present and to be concluded in the first pages of the succeeding number. It shall ever be our care to preserve things that will wear well—and enrich our volumes for reference, while passing matters are not neglected.

ROBBERY OF THE MAIL.

Fayetteville, May 8.—One of the most high handed frauds was practised somewhere between this place and Baltimore, during the month of March. We understand that three entire letter mails, which were sent on from this town in due form, did not even arrive at Petersburg, Va. In these mails were contained large sums of money, in drafts and bank notes, remitted to New York and Philadelphia, by merchants in this town, Wilmington and Charleston. —So deep laid has been the fraud, that many subsequent letters, intended merely as enquiries of the fate of former ones, from those persons who remitted the money, have been cautiously intercepted. Not the slightest possible clue to this grand scheme of iniquity has yet been discovered, and never will be perhaps unless the general post office see fit to look nto the business.

☞That the General Post-Office will look into the business, cannot be doubted. But *our* great object in noticing this unfortunate affair is to influence *our* subscribers and others, wishing to remit money to us, not to be discouraged by it; we still guarantee the safety of the mails for the receipt of all monies really forwarded to us. *We fear nothing so much as the negligence of our friends.*

"Talking about money, naturally puts us in mind of" the address made to our subscribers out of the city of Baltimore in an extra-sheet. It was the result of necessity, and it is feelingly observed that some attention has already been paid to it. One gentleman, in a very good humored letter, expressing a determination not to be "among the drones that consume the substance" of this work, after noticing an enclosure to pay his dues, says—"and as you appear to have the money fever* (a disorder, by the bye, which very few of us have escaped) I add five dollars more as a payment in advance. They will do me no harm and may do you a little good." If every gentleman were to think and act thus—with what delight, what spirit and energy, should we pursue the business of the WEEKLY REGISTER!

A Nation's Wealth.

An eastern paper ironically observes—"Impoverished *England*, within a few weeks has loaned to *France* and AMERICA more than *thirty millions* of dollars, in solid coin, and at a moderate usance."

We do not know of any loan being made to "America"—we suppose that the sale of stocks by the bank is alluded to, which was a transaction of individuals with individuals, in no wise partaking of a *national* character on either side. The *United States* do not want to borrow, and *England* has enough to do to borrow and pay the interest of as much money as she wants for herself.

The sentence quoted has the same denomination and tendency as that on which we offered some remarks last week, and is also from the *Boston Centinel;* and we have again to shew how easy it is to communicate error in the words of truth;—which we shall do for the sake of "America" attempted to be degraded, though America had nothing to do with it.

What is national wealth—what constitutes a wealthy nation?—The political economist will feel at no loss to say that the first is in the quantity of the productive labor of a people, and the other in the aggregate means and resources of the whole.—It may be assumed as a general principle—indeed, I do not know but that it can be accepted as a rule absolute, that excessive wealth, in the hands of a of a few of a nation, is conclusive evidence of national poverty. Nor is this paradoxical—it is manifest to every man that observes the *practical operation* of the fact, or reflects upon the subject. It is certain that England contains some of the richest men in Europe; capable, perhaps, of commanding more ready money than the same number of private individuals in any other parts of the world—but it is also as certain that she has more paupers than any other nation, probably more than there are in all the rest of Europe and America united. "Magnificent are thy palaces, O Genoa! but thou hast also thy gallies." What better evidence of the *impoverishment* of a nation can we have than that about one fourth of its people is subsisted by the coarsest bread-stuffs that will keep soul and body together, at the cost of the rest, being public paupers? —England has three millions of these, unproductive. If they were employed at something by which, (all the profits being included) they could earn only *fifty cents each per day*, they would really add 450 millions per annum to the national wealth—a sum that makes the bagatelle story about 30 millions appear truly contemptible. Were the splendid palaces of the French nobles before the revolution, surrounded with ten or fifteen miles of rich country on which hardly any other houses stood than mud-built hovels, an evidence of the wealth of France—would we not rather have taken an English county (at that period) which, though it might also have had its palace, abounded with large edifices of brick and stone, filled with a ruddy and joyous people, keeping up the "hum of business," and enjoying life? But to speak at once to the point—is the fact that some eight or ten harpies in a town (*bank directors*, perhaps!) have in a course of years realized a million each, and established a credit to monopolize accommodations for a million more, by "*shaving*" the notes of their fellow citizens at 2 or 3 *per cent. per month*, an evidence of the wealth or of the misery of that town? This immediately applies to the condition of England, where the people have been *shaved* in all manner of ways out of their earn-

*We, indeed, have had a severe attack of this "disorder"—but a slight attention from our readers, as a good physician, would instantly remove it, and prevent a relapse.

ings, until a fourth of the whole of them are tenants of the poor house.

But it is the building up of these great personal fortunes that facilitates the general borrowing of money, and enables a government to levy heavy taxes. *One* man with 10,000$ a year, has more money to *spare*, than *fifty* men with 1000 dollars each, and he can pay more taxes than they, though he has only a fiftieth part of their wealth. This is a very clear case—for the latter have fifty times more people to maintain than the former. The truth is, that the unequal division of property, in England, caused by excessive taxation, has enabled the government thus far to continue that excessive taxation, and raise the various loans required, which, without it, it would have been *impossible* to do.

It was by the operation of this principle that the Egyptian pyramids and temples were built—the whole labor and wealth of the people was centered at the disposal of the king; and I desire no better evidence of the poverty and misery that prevailed than the existence of these monuments. Reduce a people to the lowest possible state of subsistence, taking from them all they earn over that, and a great amount may be reserved that would otherwise be expended to procure some of the comforts of life. "It sounds large" that the Messrs. Barings, of London, for instance, can *advance*, in the first instance, twenty or thirty millions of dollars, and we are inclined to forget the fact that certain of their countrymen, capable of actually *creating* as great a value in 15 or 20 days, are dependent on him and others for *oat meal** enough to keep them from immediate starvation.

It has always been my opinion, and I have always supported it with all my heart and soul to the best of my ability, that the virtue of government must depend upon the virtue of a people, in like manner as its wealth and strength depends upon their profitable employment and numercial force. In early youth, the venerable *John Dickinson* taught me the force of his favorite maxim, "THAT AN ARMED PEOPLE AND AN UNARMED MAGISTRACY WAS THE BEST SECURITY FOR FREEDOM," and consequently of happiness—(a sentiment that deserves to be inscribed in letters of gold over every man's *fire place*). The principle of this maxim I would act up to *in extenso*. I hope that no man in the United States will ever be able to advance "thirty millions," for then we shall, probably, see the poor houses tenanted by others than those who, deprived of their natural friends, are incapable of themselves to earn a subsistence. Let *plenty* prevail, and every man be able to stamp his foot on the soil, saying—*this is mine, independent of all but my Creator and God.* A people so situated cannot be enslaved—every house is a castle garrisoned by freemen. But such a people cannot pay *excessive* taxes; and, what is more to the purpose, they will not pay them—shall they be collected of them at the point of the bayonet? no—they cannot be collected but as the free will offering of the majority.

There is one thing that, more than any thing else, I apprehend may have a tendency to reduce the people of this country from their present happy condition. I mean our *banking institutions*—they are the leven which, in the hands of ambitious and avaricious men, is most to be feared to raise up *Barings* amongst us. They have already accomplished much in this way; and have a decided tendency to make the rich richer and the poor poorer. The people generally are getting alarmed at the proceedings of those establishments; whose funds, designed for the common accommodation, are more and more monopolized by a few; thereby enabled to speculate on the wants of others, and make themselves fat on the sweat of the "weary laden."

* If Dr. Sam. Johnson were now living to revise his dictionary, he might say that oats were "a sort of grain" used to feed *men* in *England*—as well as Scotland. See Brougham's speech.

Mr. Russell.

The Boston "*Yankee*" of the 9th instant, has a very neat and exceedingly well-written article vindicatory of Mr. Russell, as to the proceedings had on his late marriage, which has excited so much serious reprehension and broad ridicule in the United States. The length of that article alone prevents its insertion entire and without comment; it reprehends, but in a gentlemanly and courteous manner, the notice that "Niles' Baltimore Register and the Richmond Enquirer*"—(papers to which the writer is pleased to ascribe a very high character) have taken of those proceedings; doing ample justice, however, to the motives believed to have influenced us, and excusing Mr. Russel as having had a very remote agency, indeed, if any agency at all, in the pomp and parade that really attended the ceremony; and much less so as being concerned in the "ridiculous" accounts of it published in the newspapers.

When we saw these accounts in the newspapers, it is frankly confessed we were sincerely mortified that a man of Mr. Russell's standing—a gentleman from whom we expected examples of *practical republicanism*, should have suffered himself to be led into any thing that could furnish a coloring for them. The progress of luxury and its consequent, *despotism*, is lamentably rapid enough; and we fear the introduction of any *new thing* to accelerate it. And how was it that we, who had laughed so much, and in honest truth, so heartily, "at the gossip stories about Charlotte and Cobourg," should have passed over quietly and without *feeling*, a type happening at home of what we had reprehended abroad? The parties in this case, it appears, have been much less to blame than was supposed: Mr. Russell is not the first man that an *officious* friend has made appear ridiculous; to which the love of pomp and shew, among a certain set at Boston, may have contributed not a little. The story of the ceremony was embellished to the utmost bearing, though the chief things were, to some extent, founded on what really occurred—and in the *tout ensemble* there was abundant cause to provoke even coarse censure, as a warning to check the contagion of the example. This has, probably, been effected—few persons, to gratify a fooling fondness for shew, will pass through such an ordeal. We honestly regret, from the great respect we had for Mr. Russell, that this censure has fallen upon *him*; but are not sorry for *the* censure itself. The first is a personal, the latter a public considera-

*There are very few newspapers in the United States that have not had an original or selected article about Mr. R.'s marriage; but the notice that some have taken of the lady's dress (which was foolishly described in the papers) has often been coarse, if not indecent. This is much to be regretted. Mr. R. *might* "stand as a mark to be shot at," being a prominent man among the people——but his *lady* should have been treated with the respect due to her private character and delicate sex. And, acting upon this principle, *we* said nothing more of the lady than to give her name.

tion—and the one should always give way to the other, or the republic suffers a detriment. Mr. R. is described as a man of plain, unassuming, unostentatious manners—it was so that we had accepted him, and our mortification was the greater on that account.

In the sober virtue and sincere republicanism of the *body of the people* of the United States, is (in my opinion) the grand, and, in truth, the *only* security for the liberties of this country. But much depends upon the "manners of the great," as certain classes are called in Europe, by whom I mean here those enjoying the confidence of their fellow-citizens, to put that security in some degree of hazard, by undermining it. It therefore becomes us, the "common people," of whom I am one, to watch every movement of such with singular care, and *compel* them to wear the semblance of virtue and plainness, whether they possess them or not, that the force of example may have its effect. It is rarely indeed that I have felt myself bound to notice the conduct of *individuals*—the WEEKLY REGISTER has endeavored to lay down, or disseminate, *principles* that every one might apply for himself; but so it was in this case, that the principle could not be well stated without involving the name of a person. And on the whole, though the accounts of Mr. Russell's marriage, which we received as *acknowledged truths* at Boston, may have injured that gentleman unfairly by their exaggerations, still, we believe, the public good will be subserved by the notice that has been taken of them.

Almeida's Case.

Our readers will recollect that captain Almeida, commander of a Buenos Ayrean privateer, was arrested and committed under the authority of the state of Maryland, on a charge of piracy—released by the judges of Baltimore county court, deciding that the case did not come under the cognizance of the authorities of this state—and again arrested on the same charge by authority of the United States, and held to bail.

The grand jury of the circuit court of the United States, sitting last week in Baltimore, found a bill against him, and he was tried on Thursday the 8th instant.

"After a full and elaborate investigation of the merits of the case, wherein the treaty between the United States and Spain was more particularly the subject of discussion, the charge in the indictment having been predicated on a clause contained therein, captain Almeida was, by direction of the court, discharged. On this occasion judge Duvall performed the duties of his high station with unusual ability, and elucidated the points of the case in the most able, luminous and impressive manner."

☞It would be well if judge Duval's opinion were published, for the general information.

William Cobbett,

Previous to his leaving England, published the following address to the public, at Liverpool, March 26—

"My departure for America will surprise nobody, but those who do not reflect. A full and explicit statement of my reasons will appear in a few days, probably on the 5th of April. In the meanwhile, I think it necessary for me to make known, that I have fully empowered a person of respectability to manage and settle all my affairs in England. I owe my countrymen most sincere regard, which I shall always entertain for them in a higher degree than towards any other people upon earth. I carry nothing from my country but my wife and my children, and surely, they are my own, at any rate. I shall always love England better than any other country; I will never become a subject or citizen of any other state; but, I and mine were not born under a government having the absolute power to imprison us at its pleasure, and, if we can avoid it, we will neither live nor die under such an order of things. If I have not taken leave of numerous friends in London and in the country, it was because I should have been made unhappy by their importunities, and the expressions of their sorrow. I make an enormous sacrifice of property and of feeling; but when my heart feels the tugs of friendship, and of all interesting objects in Hampshire, it is reconciled to the loss by the thought that I can enjoy them only during the pleasure of a secretary of state When this order of things shall cease to exist, then shall I again see England. WM. COBBETT."

☞A great many stories have been told about Mr. *Cobbett* since he left England, which he refutes in a New-York paper. He says that he had a clear income from his writings of more than *ten thousand pounds a year*—and that he expects to receive for his landed and other property 20,000£. He intends in a few days to publish a prospectus of his future literary labors—and in a P. S. in noticing certain articles published in the New-York Evening Post, he says, though he hardly ever made a bet in his life, he will bet with the editor of that paper 1000 dollars, "that the government of England, that is to say, the government of the boroughmongers, *does not last three years longer*"—which Mr. Coleman declines—"for (the possibility of losing being admitted, as otherwise it would not be a fair bet) although the sum staked, might little affect a fortune arising from such an income, [as Mr. Cobbett states his to have been] it would be seriously felt by the humble editor of the *New-York Evening Post*."

The War Tables.

LAND AND NAVAL BATTLES, IN THE LATE WAR.

Our readers will recollect that in the 9th and 10th volumes of this work, we published certain laborious tables, calculated to shew, at once, the general result of the chief battles fought by land or sea during the late war. Absolute correctness was not affected, for the very nature of the thing forbade the hope of it. They were, probably, as correct as they easily could be; and it is impossible that the gentleman who compiled them should have willingly neglected the just claims of the western army, of which he himself, a zealous patriot, on two or three occasions, formed a part.

But we are thankful, even at this day, for the corrections and additional information afforded in the following communication; there is not, however, so great a discrepancy between the facts stated in the tables and those furnished by it, receiving, as we do, the latter to are entirely correct, as at the first glance appears, in respect to the affairs at *Fort Meigs* (No. 8, in the table, vol. X. p. 154)—the design of the compiler having been only to shew the force of the sortie under colonel Miller and of the enemy opposed to it. Our loss under colonel Dudley is also represented in the tables as being greater than it was, and there is a difference, on both sides, in favor of our arms, as to the forces engaged on the Thames.

The communication is interesting for present use and of great value to history, and we repeat our thanks to the very respectable gentleman who furnished it.

"My attention has been directed to a table, published in your 10th volume, [pages 154—5] shewing the result of the land battles fought during the late war. Having entered the service as a volunteer at its commencement, and returned at the peace as an inspector-general in the United States' army, I feel myself authorised to suggest some inaccuracies which have occurred in your estimate of the relative loss at Fort Meigs and upon the Thames.

"You appear only to have given the force and result of the sortie under colonel Miller, when a considerable number were disabled in other sorties and during the siege. That detachment consisted of 350 men, and carried two batteries defended by 350 British and 400 Indians: so gallant and warm was the contest, that in fifteen minutes, 186 were killed and wounded on our side, and it is well ascertained that the enemy suffered more severely. Indeed, candid men acknowledge that, upon a comparison of the force and the loss, it was the *hardest fighting* during the war.

"Colonel Dudley's detachment consisted of 800: 170 of them reached Fort Meigs; about 45 were killed in the action and wantonly massacred in the *Slaughter Pen*, at the Old British Fort. It is now ascertained that 30 or 40 were taken by the Indians and have since returned to their friends. The whole force of the enemy besieging Fort Meigs consisted of 500 regulars, 800 militia and 1600 Indians—total 2900; whereas your estimate gives them 350 regulars and militia and 450 Indians.*

"In the battle of the Thames, the most correct information estimated our force at not more than 2700—120 regulars, 800 or 900 of Johnson's regiment, and from 1500 to 1800 of governor Shelby's volunteers. The force of the enemy consisted of 700 regulars and 2000 Indians—600 regulars were captured, 12 killed and 22 wounded: but a very material result of this "bloodless victory" you have entirely omitted. There were not less than 40 Indians found upon the ground, and no doubt the usual proportion wounded. With the exception of a similar loss at Tippecanoe, the N. W. Indians have never, in the history of their warfare, suffered so severely. In the decisive battle fought by general Wayne, 20th August, 1794, at the Miami rapids, and in that fought at the mouth of Kenhawa, 10th October, 1774, from sunrise to sunset, there were only 19 Indians found upon the ground; and there was not half that number killed in either the defeat of Harmar or St. Clair."

*Alluding only to the force, we presume, which opposed that under colonel Miller. Ed. Reg.

Canals.

TO THE EDITOR OF THE WEEKLY REGISTER.

Sir—Observing that the proposed Delaware and Raritan canal is noticed in a late Register, I send with this a copy of the report of the commissioners to the legislature of New Jersey; as you may, probably, be desirous of seeing the plan at length. An error is running through the different newspapers relative to the elevation of the proposed canal above the tide water; it is stated to be 136 feet instead of 68 feet—136 feet is the aggregate amount of the assent from the tide water to the canal at one of the rivers, and of the descent from the canal to the tide water at the other river.

The report contains a statement of the objections to the old mode of using the beds of streams with connecting cuts and locks, and to the more recent mode of pursuing the vallies of streams with canals adjacent to their banks; a detail of the advantages resulting from a level canal, if practicable; the proportions and dimensions of a canal suitable for the proposed navigation; an estimate containing the details of the work which may be necessary, and the probable expence of each item; and a number of useful hints relative to the construction of canals, the plans of locks, and the supply of water. The information and observations are applicable to many other places in the U. S. where canals are in contemplation. A hint is also given on the employment of the military on the canals; a plan esteemed preferable to the project of reducing the establishment.

The great national advantages attending a general system of inland navigation in the U. S. renders it of the greatest importance that the public attention should be excited, and that the subject should be thoroughly discussed and understood, before the plan is determined on, and the business commenced; on this account the rejection of the late bill for internal improvements before congress, is a fortunate circumstance.—Divisions of the appropriation, and separate plans of work under state authorities, would tend to defeat the arrangement of the system for national purposes.

If the business is not marred in the outset, the time may come, when the policy and practice of China may be realized in the U. S. and our inland commerce employ many of our merchants and sailors; and manufactures, by an interchange among ourselves, will afford double national profits.

A vessel may depart from the seat of government at Washington, ascend from the Eastern branch to a level canal* on the New-Jersey plan, fed by the Patuxent, proceed to the banks of the South river, descend to the Chesapeake, touch at Baltimore, Philadelphia, New-York, New-Haven, and Boston, pass on to the Merrimack river, and from thence into New-Hampshire, and, perhaps, Maine. The vessel may then return to New-York, and, ascending the Hudson, enter lake Champlain, visit our northern boundary in 45 degrees of latitude, and return with the water of lake Champlain to the Hudson; ascend to a canal fed by lake Erie, and approach our Mediterranean seas, not by the proposed route through Rome and the Cayuga marshes, but by a canal preserving a flow of water from lake Erie to the Hudson, and pursuing nearly a level, south of the Cayuga and Seneca lakes, on the grounds dividing the waters of the Susquehanna from the streams of the Hudson and Ontario. From the port of lake Erie the usual route may be observed by Detroit and Michilimackinack to Chicago; from thence by the Chicago and Des Planes rivers, or by canals in their vallies, to the Illinois, and hence to the Mississippi, and descend to New-Orleans; thence, inland, by Mobile, to St. Mary's, and thence through the Atlantic states of Georgia, South Carolina, North Carolina and Virginia to Washington the place of departure; performing an inland national voyage of above 5000 miles, and traversing an extent of 15 degrees of latitude, and nearly 20 degrees of longitude, in the most delightful part of the temperate zone. Such are the facilities to effect at a moderate expence a completion of the projected route, by an extension of in-

*Consider the importance of this canal to every part of Maryland.

land navigation unknown in the ancient hemisphere, that it is estimated the total cost will be less than eighteen million of dollars—indeed on computing the parts separately, the amount is little more than 16 millions, leaving nearly 2 millions for contingencies.

Inland navigation may also be introduced in the vallies formed by the great ridges of the U. S. and a canal may be constructed between the north and south mountains, from the vicinity of Newburgh on the Hudson, through New-Jersey, Pennsylvania, Maryland and Virginia, by Tennessee or North Carolina, to Alabama or Georgia; through as rich a valley as any in the world, without the obstruction of a hill, or the necessity of a tunnel.—The rivers Delaware, Schuylkill, Susquehanna, Potomac and James, may in part be directed from their beds at their respective gaps of the South mountain, and led by canals through other districts, dispensing the benefits of inland navigation and irrigation* to the arid plains below.—Canals may also be constructed from lake Erie to the Ohio river, and from the Erie and Hudson canal to Pennsylvania and to lake Ontario, effecting an inland navigable communication with every state in the union

Much more might be added, but I have already exceeded my limits. I sat down merely to correct a typographical error, and I have taken you a voyage nearly the extent of the inhabited parts of our republic—If I succeed in exciting the attention of an able and popular editor, and through him the public, my motives will be answered, and the thoughts of the nation directed to objects of the greatest public utility and importance.

Placing the foregoing at your disposal, for separate extracts or paragraphs, of such parts as you may think proper,

I am, sir, very respectfully.

*Monsieur de la Londe speaks of the canal de Provence, which takes the waters of the Durance to Aix and Marseilles, being 110,000 toises long, and of the irrigations by its bringing in a million of livres a year. Des Canaux de Navigation, folio, 1778—p. 175, 184. Young's travels in France vol. 2nd, p. 176, Irrigation.

Ad valorem Duties.

TREASURY DEPARTMENT, *7th May*, 1817.

Sir—A general impression appears to prevail in all the commercial cities, that frauds upon the revenue are committed to a considerable extent by invoicing merchandize, paying an ad-valorem duty, which costs less than twenty-five cents the yard, with those which exceed that price, so as to produce an average value above twenty-five cents the yard, and thereby introduce coarse and cheap fabrics without paying the duty contemplated by the tariff. According to the same impression, frauds of a more glaring nature are frequently committed upon the revenue, especially in importations on consignment, by the introduction of articles not described in the invoices, which from the imperfect manner in which the inspection of the packages are made, escape with impunity.

It is possible that this impression may not be correct to the extent that it has been made, but it is believed that a due regard to public opinion upon this subject, requires that a more rigid inspection than has heretofore been made, should be attempted with a view to detect the frauds which are supposed to be practiced. It is therefore proposed:

1st. That a proportion of the packages which contain goods subject to ad-valorem duties, shall be selected from each invoice by the collector, which shall be strictly inspected, with a view to detect frauds which may be attempted by putting in the same invoice goods of greater and less price than twenty-five cents the yard.

2d. That a certain proportion of packages paying specified duties be designated in like manner by the collector, which shall be thoroughly examined for the purpose of detecting any attempt which may be made to smuggle any articles not described in the invoice.

3d. That the proportion of packages to be designated by the collector on importations upon consignment, be double the number when the person who enters them is the owner and importer.

4th. That in all cases of consignment the packages designated shall be lodged in the public warehouses until the inspection be made.

5th. That every importation shall be deemed to be upon consignment unless the person who makes the entry shall expressly negative the fact in oath of entry.

In order that the inspection directed for the purpose of detecting frauds of the first kind may be skilfully executed, the inspector whose habits and information qualify him for the discharge of that duty and in whose judgment and fidelity you have most implicit confidence, should be exclusively employed for that purpose. Should none of the inspectors now employed be considered well qualified by you for this service, you are authorised to select one specially for that object, and report him to this department.

As it is an object of importance that the revenue system should be rendered as perfect as possible, and that every attempt to evade the provisions of the existing laws should be known, you are requested to communicate to this department every circumstance of that nature, accompanied by suggestions of the provisions necessary to repress the evil.

I am most respectfully, sir, your very obedient servant, WM. H. CRAWFORD.

JAMES H. M'CULLOCH, Esq.
Collector of Baltimore.

CUSTOM HOUSE, BALTIMORE,
Collector's office, May 10, 1817.

SIR—I have been favored this morning with your letter of the 7th inst. on the subject of imported cottons less than 25 cents cost per yard.

The supposition in your letter as to the impressions under which representations of fraudulent proceedings in the case have been made to the department, is most probably well grounded—That is, that the apprehensions have overgone the real misdealings in this instance. It is true, the time has not been sufficient to allow all the arrangements which might perhaps be conceived to elude the intention of the law. But I have the satisfaction to report, that nothing has appeared here to countenance the suspicion in a single instance—Not an invoice presented to us, but has been clear and specific in this respect; nor is any thing more due to the mercantile body in Baltimore than a declaration from the officers of the customs here, that such a correctness of transaction appears in their dealings relating to the revenue, as cannot be exceeded in any place, and must be esteemed a happy state of society wherever it is equalled.—Scarcely one, to whom the name of merchant is properly attributable, has in a succession of years incurred the censure of the office here for a failure in the obligations alluded to.—On the countrary, the

instances are numerous, of declarations of goods found beyond their accounts subsequent to entry; of a relinquishment of discounts previously allowed, and of charges becoming known after receiving the goods affected, as well as irregularities in the proceedings of their correspondents, and that to no inconsiderable amount frequently. Yet the surmises of different conduct have very often been made, in a way more or less general or particular. As we do not feel ourselves at liberty to slight any well appearing information, we have often with much trouble and unpleasantness to the officer and parties, executed the most rigorous duties, and tried the temper and patience of many, rarely finding any thing but a compliant and just disposition towards the law and its agents, even in the cases palpably misunderstood, or misrepresented. Such, indeed, should be the very cases in which a free submission to examination ought to take place, but it will not always be so, unless a good disposition and sense of propriety prevails—The natural pride of honesty rises against it, and the affectation of this virtue still more.

The directions you have given will be carefully attended to, in their several branches, and such a proceeding adopted, as we hope will fulfil the public expectation and facilitate all the transactions of commerce subjected to it—[but unless some mode more expeditious than that prescribed in 66 sec. of the collection law is pointed out, equally safe for the collector, it will be a work of difficulty; though I am sure the merchants will acquiesce in any reasonable measure.]

I am, sir, your ob't serv't,

JAS. H. M'CULLOCH.

William H. Crawford, esq.

[It is well observed in the *Federal Gazette* that —"The answer of the collector of this port to the letter of the secretary of the treasury which will be found in this paper, is as highly honorable to the writer, as it is to the reputation of the merchants of this city. From such an officer, a correct merchant has nothing to fear, and may expect every facility consistent with his duty. To such an officer, every correct merchant will give all the information and assistance that may be useful and tend to render the performance of his official duties easy and agreeable."]

Treasury remittances, &c.

NEW YORK, May 8.—The following highly important circular, from the secretary of the treasury to the district judges, was read on Tuesday morning at the opening of the district court in this city:—

CIRCULAR.

Treasury department, April 3, 1817.

SIR—Doubts having arisen whether, under the act providing for mitigating or remitting the forfeitures, penalties and disabilities accruing in certain cases therein mentioned, passed the 3d day of March, 1797, the secretary of the treasury can rightfully exercise the authority therein conferred, after the sentence of the district court has been executed, or after a cause has been withdrawn from it by appeal or writ of error, the case has been referred to the attorney-general, who has given an opinion adverse to the exercise of this power under such circumstance. As this opinion is understood to be coincident with that of the judges of the supreme court of the United States, I have determined to be governed by it. My respect for the judges of the district courts, and my desire to relieve them from the trouble of making summary examinations, were no practical benefit could be derived from them by the parties, induce me to make this communication.

This information may, also, be highly useful to the parties themselves, who will in future, apply directly to the treasury department for relief, when the violation has been unintentional. In all cases where the court, upon hearing the evidence, shall be of opinion that the case requires or justifies the interposition of the secretary of the treasury, it is expedient that that course should be suggested, and that the postponement of the judgement of the court necesary to make the application should be granted.

I have the honor to be, very respectfully,

Sir, your most obedient servant.

WM. H. CRAWFORD.

To the hon. WM. P. VAN NESS.

Foreign Articles.

ENGLAND, &c.

London papers of April 12.

3 per cent. cons. April 8, 73 5-8. They have been subject to great fluctuations of late, rising and falling suddenly.

Lord Cochrane has bought a fine vessel, nearly as large as a frigate, in which he is about to take a voyage to South America.

The British ministry are stirring up the lagging service of *their* members of parliament by urging their attendance, in printed circulars—so shameless has the prostitution become.

The price of bread stuffs has considerably declined, in consequence of the prospect of great crops on the continent.

The royal assent has been given to the bill for preventing "seditious meetings." There has been a disturbance at Carlisle; Manchester was quiet but a Liverpool paper publishes an account of a *plot* discovered there to burn down the whole of the manufactories. A design appears to have existed to destroy the town of Ely by fire. The people are mad with suffering. Their distresses, however, are said to be declining. There are many mobs in Ireland; which, appear to have a sole object of getting provisions. The burning of several farming establishments is mentioned.

The official report states the cost of the civic entertainment giving to the prince regent, emperor of Russia, king of Prussia, and duke of Wellington, by the corporation of the city of London, to be upwards of 24,000l.

We have a brief notice of the first report of the select committee of finance to parliament. They propose the total abolition of many officers whose *offices* have died many years ago, and the reduction of many others. There is room to do a good deal in this way. A treasury circular has issued recommending that all persons in official situations, receiving more than 1000*l.* a year, should give up a tenth part of their salaries for a limited time.—There is a talk of levying a tax of 20 per cent. on the incomes of absentees. Emigrations to Canada are encouraged by the British government, by grants of land, &c.

The British army is said to be reduced to 121,035 men. The ships in commission are very few.

The marquis Wellesley, brother of the duke of Wellington, in a debate in the house of lords, called lord *Liverpool* an "insolent man." There was more candor than courtesy in the expression.

The venerable earl of *Buchan* gave a splendid

entertainment to the Americans pursuing their studies at Edinburg on the 22d of February, in commemoration of the birth day of his friend, *Washington*. The earl is about 75 years old, hale and hearty, and on this occasion wore a mantle which had covered the illustrious dead.

Locke's treatise on government has been expelled from the college course, by the trustees of Trinity college, Dublin. For one hundred years admired, it is now discovered to have too liberal ideas for the times.

It seems agreed—at least, is so given out by the British government, that the late insurrection at Manchester was a part of a very extensive system, for a general rising of the people. It is said that they intended to set fire to the buildings adjacent to the town by means of Congreve rockets to attract attention, while they attacked the prisons, banks, &c.

A young, and beautiful woman has been thrice flogged on her naked body, through the streets of *Inverness*, for drunkenness and disorderly behaviour in the streets.

Birmingham in England, is supposed to have 19,000 houses and 110,000 inhabitants There are also 1,500 houses uninhabited. The outcast poor were 20,000, besides hundreds in the poor houses.

Lately died in the Fleet prison, *poor old Williams*, after an imprisonment of 34 years, on an alleged contempt of the high court of chancery.

The total receipt at the Dublin custom house on the 1st of March was only 9*l*. 6*s*. 11*d*.

The following is an extract of a letter just received by a gentleman now of Baltimore, from his friend, a member of the society of Quakers, dated Shrewsbury, (Eng.) 3d mo. 24th, 1817.

"I am glad to hear you all got safe to America; that thou givest so good an account of it gives me pleasure. We are ready for open rebellion here, and expect it in less than two years. The poor are amused by making a few improvements [on the roads, &c.]—the young men get 6*s*. per week, and those with two children or more, get 9*s*. They are employed only two weeks at a time, and then starve two weeks or go into the work-house, which is next to it."

London, April 11.—On Friday, an exhibition of the sale of a wife took place at Dartmouth. A brute of a fellow dragged his wife to the public quay for sale. She had been married about a twelvemonth, is not yet 29, and could scarcely be sustained from fainting as her unworthy husband dragged her along.—She was purchased for two guineas by her first sweetheart.

Protest on motion for the third reading of the seditious society bill, March 23, 1817.

DISSENTIENT.

Because it appears to us that this statute, in inflicting the penalty of death, is injustly severe; that it gives to magistrates a formidable and unnecessary power, improperly controling the general expression of opinion, and interfering both with the public and private meetings of the people, in times of which we consider the danger to be much exaggerated, and which we think call for measures of conciliation and relief, and not for coertion.

Grosvenor,	Aucland,
Rosslyn,	Augustus Frederick,
Clifton,	Yassall Holland,
Erskine,	Somerset.

FRANCE.

5 per cent. stocks, April 6, 63 70.

The Americans at Paris celebrated Washington's birth-day—among the invited guests were general La Fayette, Mr. Gallatin, George Washington la Fayette, D. Parish, &c. Mr. Hughes, of Baltimore, presided. Among the toasts drank one is printed thus, "The —— of France." When general La Fayette's health was drank he rose and feelingly said—"While I most gratefully enjoy these testimonies of your friendship, permit me to receive them as a token of remembrance for that old army of American brothers, who had to boast of a Washington as their paternal chief; it is in the name of the surviving veterans that I beg you to accept our affectionate thanks."

Marshal Massena, prince of Essling, lately died at his hotel in Paris. Bonaparte used to call this distinguished chieftain "the fortunate."

France, except for a little "factious spirit" in Paris, is spoken of as entirely tranquil.

Many French prisoners yet remain in the interior of Russia, subject to the severest hardships. It seems that they are about to return—but a column of 700 men returning, lost about 400 of their number by the hardships of their journey!

Some accounts say that the king of France is very ill, and hint at his speedy dissolution.

It appears from a speech of the duke of Ragusa that the French army scarcely consists of 20,000 fighting men.

Manuscript copies of M. de Montholon's letter to sir Hudson Lowe circulate, and are read with avidity in every society in Paris. They dare not print it there.

Marshals Macdonald and Victor appear highest in favor at the court of Louis. It may be well here to mention that it is a *Neapolitan* general of the name of Macdonald that is reported about to marry Mad. Murat.

BONAPARTE.

There is a report that the emperor of Russia is interesting himself to procure the removal of Bonaparte from St. Helena to Malta. There is no probability of its being true.

A vessel just arrived at New York from Calcutta was telegraphed sixty miles distant from St. Helena—and being boarded by "his majesty's brig Leveret," as the New-York papers have it, received information that Bonaparte had grown very fat, and kept himself very close to avoid the curiosity of strangers.

Fresh provisions were so scarce at St. Helena that a joint of meat was regarded as a great luxury on a general's table.

SPAIN.

The want of rain is severely felt in some parts of Spain. A letter from one of our naval officers at Cadiz says, "processions are often met in the streets invoking the saint whose business it is to furnish water, to give them a supply."

The disputes between Spain and Portugal, though the king of the former has just married a daughter of the latter, appear to be serious. The garrisons of the frontier towns have been increased, and hostilities seem expected. Spain appears offended with the conduct of Portugal in taking possession of Monte Video, &c. and Portugal complains that certain parts of her European territory, wrested from her by Bonaparte, are retained by Ferdinand.

We have an account of the books prohibited to be read in Spain—some of them are denounced for being prejudicial to the "holy office"—as the *inquisition* is impiously called.

The Spanish state prisoners, who have been removed from Ceuta to one of the Balearic Islands, are accused of a plot for obtaining possession of the former place by surprize.

The ambassador of Spain to the king of the

Netherlands has instituted a prosecution against the editors of a newspaper, (formerly the *Nain Jaune*) for some alleged calumny on his royal master.

ITALY.

Lucien Bonaparte has applied to the pope for a passport for the United States. It was not known if it would be granted to him.

Maria Louisa lives in great splendor at Parma.

The grand Turk refuses to acknowledge a fiction, and has given offence to the British by declining to say that the Ionian islands are *independent*.

The celebrated sculptor *Canova* has had the title of marquis conferred upon him by the pope, to which is attached certain privileges. He is said to have as much work bespoken as would occupy him for 50 years.

SWEDEN.

A conspiracy is said to have been detected for destroying the crown prince, Bernadotte. It seems to have strengthened him in the good opinion of the people—if the accounts are to be believed. The son of Gustavus, who was set aside to make room for him, lives with the king of Wirtemberg, who is his cousin; he is also a nephew of the emperor Alexander, and spoken of as an accomplished young man. He will, probably, in these "legitimate" days yet mount the throne of Sweden.

RUSSIA.

Lieutenant Kotzebue, commander of the ship Rorik, has discovered on his voyage round the world several new islands, which he has named Romanzow's, Speridow's, Krusentern's, Kielusow's and Suwarrow's islands.

AFRICA.

We have fresh reports of the hostile dispositions of the states of Barbary towards Europeans. The dey of Algiers is stronger than he ever was, and already has eighteen armed brigs, which are daily exercised in the harbor.

MEXICO.

We have a report, by way of a letter from New-Orleans, that Apodaca, viceroy of Mexico, has declared himself independent, and has an immense force arrayed to sustain the declaration. There are reasons to hope that this report may be true.

In the late debate in parliament (says the *Richmond Enquirer*) Mr. Ponsonby enquired whether "the representations and remonstrances of the Spanish Ambassador (in regard to our conduct as to the South American colonies,) had been seconded by the English minister in the United States." Lord Castlereagh managed, as Mr. Ponsonby said in reply, "to elude the question." But will lord C. pretend to deny that Mr. Bagot did make some representations to our government—that he was so absurd as to suggest that the British court could not be satisfied with any interference on the part of the United States, which should contribute to the aggrandizement of the United States.

SOUTH-AMERICA.

A patriot privateer, called the "Galveston," has been captured off the Havana by one of the royal vessels—her crew consisted of 44 men, "only 17 of whom were saved (says the official account) by their obstinacy in attempting to escape."

We have it reported that the royal general, the bloody *Morillo*, has been defeated in the valley of St. Jose, and is dead of his wounds.

Speaking of the Brazils, the editor of the *Essex Register* says—"The superstition of Portugal has been proverbial. One fact may explain it. In the war of the Spanish succession, the troops of Portugal elected St. Antony for their general. The king, Don Pedro, made out his commission and his pay. This saint is still commander and chief of the army, and every year receives in his church his salary from the king. The image of the saint is borne in solemn procession, and has the prostration and homage due to his commission paid to this emblem of his presence and of his power"

☞If St. Anthony commands for the king, the "rebels" have no hope!

A Paris paper says—The tea-plant has been naturalized at Rio-Janeiro, under the particular care of a number of Chinese, whom the Portuguese government has invited thither for that purpose.

It is intimated in the *National Intelligencer*, that the people of the adjoining provinces had not supported those of Pernambuco, that the port was blockaded by a strong Portuguese force, &c. But later accounts, perhaps, than any that could have been received at Washington, from St. Salvador, inform us a brig had sailed for the purpose of blockading the port, and that two other vessels were fitting for the same purpose; but add, that the people of that district, though they had not yet openly espoused the cause of the revolutionists, obeyed their government with reluctance, and it was thought that the whole of that part of Brazil would follow the example of Pernambuco. Success to them.

It may be well to repeat that a revolution in Brazil was *calculated* upon by the Buenos Ayreans.

The provisional government of Pernambuco found 800,000 dollars in specie in the royal treasury, which they unceremoniously appropriated to patriotic purposes, as their own.

HAYTI.

A French frigate was lately off Cape Henry. A letter sent in, addressed to "*General Christophe*," was returned by his sable majesty, unopened.

CHRONICLE.

Norfolk, May 7.—We perform a painful task in announcing the destruction of the Buenos Aryean armed schr. *El Atrevido*, by the explosion of her magazine, on Monday last, by which 23 persons, including all the officers except the boatswain and two masters mates were instantly launched into eternity!—It will be recollected by our distant readers, that this vessel, in company with another, a brig called the *Independencia*, also under the Patriotic flag of Buenos Ayres, put into this port about two months ago. Here they remained about six weeks, and then attempted to get to sea, but the wind being a head they could proceed no further than the tail of the Horse Shoe, where they came to anchor in 4½ fathoms water and about musket short distance from each other.

On Monday last the captain of the schr. dined with the commodore on board the brig, and was standing on the quarter deck (about 6 o'clock P. M.) in company with the commodore and officers, looking at the schr. at the moment she blew up.—The explosion was terrible, and the schr. almost instantly disappeared. Boats were immediately sent off from the brig to save those who might be alive, and succeeded in rescuing 33 who were all that survived, three only of whom were injured, and those but slightly. From the account which these men gave, it appears that the gunner had, contrary to a standing order, opened the magazine, and while he was at work in it, the lieut. of marines called a sergeant down into the cabin to pick him out a pair of pistols from the arm chest, in doing which the pistols were severally snapped, by way of trying them, though the officer of the deck was heard to forbid it. What followed is unknown, and it is merely conjectured that one of the pistols snapped

might have been loaded, and the contents accidentally discharged into the magazine. The whole of the vessel abaft the main mast was literally blown to atoms, though both masts remained unmoved.

We regret to add that the pilot (the elder Thomas of Hampton) and four young men, residents of this town, were on board at the time, and are among the number of the killed.

Commodore Chaytor has very humanely made a present of the remains of the schooner to the widow of the unfortunate pilot, and his men are now employed in saving whatever is of any value for her, which will amount to something handsome.—*Herald.*

Montreal, C. April 23.—Persons supposed to be dead are frequently buried with a haste that is highly reprehensible. This blameable precipitation has often been followed by the most shocking and disgusting consequences; it has frequently happened that persons supposed to be dead (but who in reality were only in a state of lethargy,) have come to life without being able to obtain light, and perished in convulsions and despair, as the subsequent inspection of their bodies has proved. Repeated remonstrances have not had the effect of preventing the pernicious custom of burying the dead, the moment that the breath is supposed to be out of the body; it is customary to wrap up the corpse with a sheet which is sewed from head to foot in such a way as to prevent the admission of air. The following is a recent and terrible example.

A man named *Tessier*, of the parish of Saint Anne, in the district of Three Rivers, supposed to be dead, was carried to church about twenty-four hours after, where his funeral service was performed, he was then placed in the charnel house,* which is the ordinary custom in the country during the winter. About eight days after, it became again necessary to open the charnel house, and the coffin was found open, the feet were out, the hands were torn, the left hand grasped *into* the right shoulder, and the body was turned upon the right side.

Almost every vessel from England brings more or less passengers—the current of emigration is steady, and of very respectable classes.

The distinguished Frenchman, who arrived some months since at Boston, and supposed to have been marshal *Soult*, is now said to have been the duke of Vicenza, Caulincourt, who has taken up his residence at New-Orleans.

The arrivals of vessels, from England, France and the West Indies with "lots" of specie are daily announced. We cannot suppose there is any real scarcity of the precious metals in the United States at this time. Though our banks ostensibly pay specie, it is almost as rare as it was some months ago to see a dollar. "Paper does the buness" still; and yet the banks are said to be "pulling and hauling" their customers to the utmost—frightened about something.

Naval—The Spark was at Gibraltar about 35 days ago. The Washington and the Dutch squadron was on a cruise off the Barbary coast.

The U. S. brig Promethens and schr. Lynx are ordered from Boston to Philadelphia, with a crew to bring the Franklin 74 to the former, to be equipped for sea.

A line of battle ship, and a frigate of 44 guns, are ordered to be built at Portsmouth, N. H.

Connecticut.—The votes for governor have been officially counted. For Mr. Wolcott 13,655; Mr. Smith 13,119; scattering 202—majority for Mr. W. 334 The legislature is in session—Charles Dennison was chosen speaker by nearly all the votes of both parties—but the choice of clerks was made a party matter—the republican candidates had 98, the federalists 95; 3 rep. members absent.

Rhode Island.—The legislature of this state is in session. The ascertained majority of votes in favor of Mr. *Knight*, (rep.) for governor is 68. Republican senators, lieut. governor, treasurer, attorney-general, &c. are also elected by an average majority of about 80 to 90 votes.

The steam boat, built at Sackett's-Harbor, succeeds on lake Ontario, according to expectation. The first vessel, a schr. of 60 tons, arrived on the 21st ult. at a new port and village on the lake, called Carthage. How great will be the commerce of these inland seas, when they are united with the ocean!

Internal resources.—About a mile from Cumberland river, 80 miles above Nashville, after boring 60 feet, an abundance of water so saturated that it will not dissolve salt, is found. It rises in the wells to within 4 feet of the top of the earth; 10 bushels of water make 1 of salt.

Monument to Washington. Measures have been taken in Virginia to carry into effect the resolution of the legislature for erecting a monument to gen. Washington. Gentlemen have been appointed in the several counties of the state for the purpose of receiving the voluntary subscriptions of the citizens—no person in his own name is allowed to subscribe more than 20$.

Savannah.—By a late census, the population of Savannah is ascertained to be 7624—about one half more than it was in 1810.

Bank of the U. S.—The 3rd instalment, payable on the 1st of July next, is called for by the president and directors of the bank of the United States.

Col. *Croghan* has recently married Miss Livingston, at New York.

The following is the result of the election for representatives to the fifteenth congress, in Virginia. Those in *italic* are reputed federalists, the rest are republicans. Those with * are new members.

FOURTEENTH CONGRESS.	FIFTEENTH CONGRESS.
P. P. Barbour	P. P. Barbour
Wm. A. Burwell	Wm. A. Burwell
Burwell Bassett	Burwell Bassett
James Breckenridge	John Floyd*
Peterson Goodwyn	Peterson Goodwin
Aylett Hawes	G. F. Strother*
John P. Hungerford	Wm. Lee Ball*
John G. Jackson	*James Pindall**
James Johnson	James Johnson.
John Kerr	William I. Lewis*
Joseph Lewis	*Chas. F. Mercer**
William M'Coy	William M'Coy
Hugh Nelson	Hugh Nelson
Thos. M. Nelson	Thomas M. Nelson
Thomas Newton	Thomas Newton
James Pleasants	James Pleasants
John Randolph	Archibald Austin*
Wm. H. Roane	R. S. Garnett*
Daniel Sheffey	Alexander Smyth*
Ballard Smith	Ballard Smith
Magnus Tate	*Edward Colston**
Henry St. G. Tucker	Henry St. G. Tucker.
John Tyler	John Tyler.
10 new members	

*The name of Charnier (Charnel house) is given in this country to a large common grave, where the dead are put during the winter, so as not to dig a grave for each body.

AGGREGATE OF IMPORTATIONS—continued.

FROM	Molasses.	Beer, ale, and porter.	Teas. Bohea.	Souchong.	Hyson.	Other green.	Coffee.	Cocoa.	Chocolate	Sugar. Brown.	White.	Candy.	Loaf.	Other refined and lump.
	GALLS.	GALLS.	LBS	LBS.	LBS.	LBS.	LBS.	LBS.	LBS.	LBS.	LBS.	LBS.	LBS.	LBS.
Russia	: :	: :	: :	: :	: :	: :	: :	: :	: :	: :	: :	: :	: :	: :
Sweden and dependencies	126,759	253	: :	: :	: :	: :	107,433	1,355	: :	1,775,292	9,298	: :	: :	: :
Denmark and do.	1,383	: :	: :	: :	2	: :	836,769	13,651	33	2,820,398	: :	: :	: :	: :
Holland and do.	16,010	: :	: :	: :	: :	: :	12,168	: :	: :	341,263	: :	: :	: :	: :
Great-Britain and do.	288,621	79,579	: :	13,101	3,496	21,609	518,901	112,002	: :	2,589,568	126,275	109	2,378	27,887
Hamburg, Bremen, &c.	: :	: :	: :	: :	4	: :	: :	: :	: :	: :	: :	: :	: :	: :
France and dependencies	1,607,019	129	: :	: :	17,984	: :	1,171,411	114,708	231	17,195,263	440,559	: :	: :	: :
Spain and do.	2,521,853	3,974	: :	23,831	: :	36,690	11,669,729	632	885	13,926,808	2,742,997	41	69	5,871
Portugal and do.	125,038	: :	: :	5,831	24,091	98,779	1,538	: :	: :	604,960	429	: :	: :	: :
Italy	: :	: :	: :	: :	: :	: :	: :	: :	: :	: :	: :	: :	: :	: :
China	: :	: :	114,832	1,059,403	134,021	840,156	28	: :	: :	: :	: :	207	: :	: :
Hayti	46,083	172	: :	: :	: :	: :	2,911.053	199	110	804,396	18,548	: :	: :	50
All other countries	19,876	4,352	323	1,726	1,442	570	2,367,547	8,916	: :	1,273,278	268,154	: :	66,870	2,194
Total	4,752,642	88,459	115,155	1,103,892	181,040	997,804	19,596,577	251,463	1,259	41,331,226	3,606,260	357	69,317	36,002

Aggregate of Importations.

General aggregate of importations, from each nation and its dependencies, in American and foreign vessels commencing the 1st day of October, 1814, and ending on the 30th day of September, 1815.

FROM	Value of goods paying duties ad valorem. At 26½ per c't.	At 25 per cent.	At 30 per cent	At 40 per cent.	Wines. Malmsey Madeira.	All other Madeira.	Burgundy and Champaign	Sherry and St. Lucar	All other	Spirits from grain.	Spirits from other materials	Spirits from domestic produce.
	DOLLS.	DOLLS.	DOLLS.	DOLLS.	GALLS.	GALLS.	GALLS.	GALLS.	GALLS.	GALLS.	GALLS.	GALLS.
Russia	: :	526,632	2,936	4,896	: :	: :	: :	: :	: :	: :	: :	: :
Sweden and dependencies	: :	788,891	64,486	39,045	2,826	1,294	2	: :	4,323	123	536,104	: :
Denmark and do.	: :	186,164	23,125	4,026	315	42	3	: :	785	21,301	565,905	: :
Holland and do.	: :	375,605	92,768	88,113	: :	989	380	: :	2,347	330,989	99,746	: :
Great-Britain and do.	188,099	34,187,069	8,651,409	291,088	6,949	4,803	219	2,355	164,177	37,424	1,410,420	: :
Hamburg, Bremen, &c.	: :	980,521	41,286	122,091	: :	: :	426	: :	1,307	57	125	: :
France and dependencies	: :	1,569,040	360,192	15,017	11	39	1,940	: :	334,339	46,107	581,879	: :
Spain and do.	: :	573,648	200,229	29,743	2,310	4,719	389	24,215	316,096	49,410	163,098	: :
Portugal and do.	: :	714,959	86,746	4,837	131,541	8,289	: :	25	129,156	1,466	: :	: :
Italy	: :	136,213	23,215	: :	: :	: :	: :	: :	11,961	: :	12,281	: :
China	2,891	207,344	9,911	8	: :	: :	: :	: :	: :	: :	: :	: :
Hayti	: :	57,130	8,313	1,276	314	3	160	108	12,672	5,545	10,510	653
All other countries	: :	1,209,655	199,477	5,030	2	73	: :	2,800	106,156	24,777	132,650	: :
Total	190,990	41,512,871	9,764,093	605,170	144,268	20,251	3,519	29,503	1,083,319	517,199	3,512,718	653

AGGREGATE OF IMPORTATIONS—continued

FROM	Spices.			Tobacco manufactured.	Snuff.	Indigo.	Cotton.	Powder.		Starch	Glue.	Pewter plates and dishes	Iron.		Nails.	Spikes
	Pepper.	Pimento.	Cassia.					Hair.	Gun.				Anchors and sheet.	Slit and hoop.		
	LBS.	LBS.	LBS.	LBS.	LBS.	LBS	LBS	LBS.	LBS	LBS.	LBS	LBS	LBS.	LBS	LBS	LBS
Russia											15,156		179,735	2,880		
Sweden and dependencies							10,680						16,801	7,432	15,233	
Denmark and do.		1,073			33								13,066	31,610	4,012	
Holland and do.					58								2,011	8,626		
Great-Britain and do.	210,119	175,935		191	28	78,609		224	108,798	1,985	40,172	2,145	1,037,498	852,487	422,274	75,976
Hamburg, Bremen, &c.													6,958		36	
France and dependencies			23		33	507	20,081	113	20	331				11,327	71,002	412
Spain and do.	3,326	10,152	214	6	754	16,304	18,457			3,213			103,623	12,238	2,951	
Portugal and do.					6	2,359			2,475		12,742		43,251	4,791	1,594	
Italy																
China			56,069													
Hayti							8,317			32			5,675	9,028		
All other countries	171,067	2,724		19	59	34,381	72,832	60	28,052	18	1,605		11,996	47,091	64,792	1,272
Total	384,512	189,884	56,306	216	971	132,160	130,367	397	139,345	5,579	69,675	2,145	1,420,614	987,510	581,894	77,660

AGGREGATE OF IMPORTATIONS—continued

FROM	Fruits.						Candles.		Cheese	Soap.	Tallow.	Spices.			
	Almonds	Currants	Prunes and plums	Figs.	Raisins.		Tallow	Wax or spermaceti.				Mace	Nutmegs	Cinnamon.	Cloves
					In jars	All other									
	LBS.	LBS.	LBS.	LBS.	LBS	LBS.	LBS	LBS.	LBS.	LBS.	LBS.	LBS.	LBS.	LBS.	LBS.
Russia								432							
Sweden and dependencies	116		3,834		757	40									
Denmark and do.					103										
Holland and do.									591						
Great-Britain and do.	977	23,127	6,457	16,302	22,487	191,715	444		18,065	45,725	200,853	216	6,676	129	18
Hamburg, Bremen, &c.		3,425													
France and dependencies	35,907	31,184	87,361	3,282	19,416	7,714		539	9,964	16,406				34	7,337
Spain and do.	20,001	3,465	2,913	691	142,510	6,245	116	146	1,689	67,872	60,931				
Portugal and do.	329			9,515	12,523	68,771			889	4,308	4,257				
Italy		21,028			84	50,444				76,397					
China													1,902		
Hayti									53						
All other countries	31,339	714,735	790	59,303	33,242	169,761	39,062	177	12,545	36,902	436,490	5	36	14,725	4,155
Total	88,669	796,964	101,355	89,092	231,122	494,690	39,622	1,294	43,796	247,610	702,531	221	9,614	14,888	11,511

AGGREGATE OF IMPORTATIONS—continued

FROM	Salt.		Coal.	Fish.				Glass.				Segars	Foreign lime.	Boots	Shoes & slippers.			Cards.	
	Weighing more than 56 lbs. per bushel	Weighing 56 lbs. or less per bush.		Dried.	Pickled.			Black quart bottles	Window—100 sq. ft						Silk.	Kid & morocco	All other	Wool and cott'n	playing.
					Salmon.	Mackar'l	All other		8 by 10	10 by 12	all above								
	LBS.	BUSH.	BUSH.	QTL.	BBLS	BBLS	BBLS	GROCE				1000	cask	pairs	pair.	pairs	pairs	DOZ.	PACKS.
Russsia							1		331	114	147			7		10			
Sweden and dependencies	25,117	2,778						52	799	269	221	76		33	4	13			
Denmark and do.		19,236						27				1		164		473			
Holland and do.	200,978	11,304					13	418	656	228	88								
Great-Britain and do.	15,387,613	1,141,205	84,586	2,344	679	431	196	11,529	3,949	1,007	718	293		460	15	4,858	458		1,218
Hamburg, Bremen, &c.	391,681	7,899						95	110	52	105								
France and dependencies		33,860		5				2,326	6	15		67		56	2019	3,886	325		68
Spain and do.	3,628,267	186,729	496	16		1	46	433	106	43	6	4,136			12	2			
Portugal and do.	5,176,892	157,287						10	94	7	19			7		5			
Italy								2							1				
China															3	30			
Hayti		4,801						6				130			500				
All other countries		11,986	13,316	14,036	516	1,003	2,716	230	63	16	12		4	395		10,466	1,309	31	5,604
Total	24,810,548	1,577,085	98,398	16,401	1,195	1,433	2,971	15,128	6,114	1,751	1,316	4,703	4	1,122	2554	9,743	2,092	31	6,890

AGGREGATE OF IMPORTATIONS—continued

FROM	Quicksilver.	Paints.				Lead and manufactures of lead.	Seines.	Cordage.		Cables	Steel	Hemp.	Twine	Untarred yarn.	Glauber salts.
		Ochre.		Spanish brown.	White and red lead.			Tarred.	Untarred						
		Yellow in oil	dry yellow												
	LBS	LBS	LBS	LBS	LBS	LBS	LBS	LBS	LBS.	LBS.	CWT.	CWT.	CWT.	CWT.	CWT.
Russia			560					52,107	1,096			23,000	1		
Sweden and dependencies					928	27,019		18,971		13,544	2,510	2,578	5	5	
Denmark and do.					408	5,536		66,793	2,250		300	707			
Holland and do.			1,114		58,286						2,661	2,624	39		
Great-Britain and do.	431	15,207	63,136	604,225	2,358,171	3,049,670	6,642	264,191	8,545	46,130	13,372	8,726	919		331
Hamburg, Bremen, &c.								17,870			858	235			
France and dependencies		132	58,505	502	2,082	3,170	501	9,167	28	8,408	798		59		
Spain and do	44,073		1,875	9,338	47,854	31,907		538	1,465		1,811	120	14		
Portugal and do.	161		6,352	2,218	2,128	7,171		864		12,762	66		35		6
Italy															
China					114,855										
Hayti															
All other countries	37,392	420			17,488	116,197	25	114,359	3,883	16,965	88		53		41
Total	82,057	15,759	131,542	616,333	2,602,200	3,240,670	7,168	544,860	17,267	97,809	22,464	37,990	1,125	5	378

Treasury Department, Register's Office, February 26th 1817.
JOSEPH NOURSE, Register.

Delaware and Raritan canal.

[PASSED FEBRUARY 13, 1817.]

The commissioners, appointed by an act of the legislature, for ascertaining the most eligible route for, and the probable expence of a canal to connect the tide waters of the Delaware with those of the Raritan,

REPORT—

That in ascertaining the most eligible route for a canal to connect the tide waters of the Delaware with those of the Raritan, they have examined the plans and routes of canals heretofore proposed, and have considered the advantages and disadvantages which would respectivley attend them.

The first and most obvious plan heretofore proposed, was to use the beds of the streams intervening between the Raritan and the Delaware, to ascend the Raritan from the tide water to the first obstruction, and by deepening or widening, or by confining the stream to a narrower channel, to proceed as far as practicable on that step, and then, by a dam and lock, to raise boats to another step, to be pursued by deepening, widening, narrowing, or clearing, as before, until another dam would become necessary, and in the same manner to continue the process until the navigation would arrive at the mouth of the Millstone river; to proceed from thence up the Millstone, erecting locks in the several mill-dams, and deepening, widening or clearing the channel, and placing other dams and locks where necessary, to the mouth of Stonybrook, and from thence up the Stonybrook in like manner, to the vicinity of the great meadows, in the township of Lawrence: here a connecting cut would be made through the meadows of Lawrence to the Shippetaukin branch of the Assanpink creek. This connecting cut would, on this route, be the lowest part of the ground dividing the waters of the two rivers, and would form the summit, or crown level, of the canal. The boats would be raised by locks to this level, which would be supplied by a feeder from the nearest stream of elevation; they would from thence descend by locks into the Shippetaukin, where a like process would be used, to enable them to navigate to the Assanpink, and down the Assanpink, by Lamberton, to the Delaware. In this route it would be necessary, in some places, to make cuts through intervening low grounds, and to depart occasionally from the beds of the streams; the elevation of the summit level would be about forty-six feet above the tide water, and the whole distance would be about forty miles. The route was viewed and levelled by several gentlemen, in the year 1804, who were of opinion that a communication might be opened between the tide waters of the Delaware and Raritan, of at least three and a half feet in depth.

This plan is liable to objections:

First. From the difficulty and great expence of removing obstructions in the beds of the Raritan and Millstone, which are formed, as far as Rockyhill, of red sand-stone, and its accompanying red shell, or wack.

Second. From the precipitous, marshy, or cavernous banks of the streams, preventing the construction and continuance of towing paths, thereby rendering the labor of men necessary for propelling boats instead of the draft of horses.

Third. From the dams across the streams occasioning back water on the adjacent ground, destroying the finer species of grass, and generating a miasma, affecting the health of the inhabitants of the country.

Fourth. From the locks being placed in low situations, and therefore subject to injury and decay.

Fifth. From the cuts in the low grounds being liable to be filled by freshes, with sand or mud, or to be washed to an improper size or shape.

Sixth. From the unequal currents of the streams, which in some places, would require the labor of many men to stem their force.

Seventh. From the inconvenience of eight mills in the route, any one of which could at any time during the summer destroy the navigation, by using and exhausting the water of their ponds so as to occasion shallow water above, and to prevent the use of the locks.

Eighth. From the great distance of the route, preventing the dispatch so necessary to ensure a preference of conveyance and transportation.

Ninth. From the varying quantity of water at different times of the year. In dry seasons the water near the dams being spread over the wide surface of the bed of the creek, or river, and in some places over the adjacent grounds, great quantities would be lost by evaporation; and on the streams becoming low, the navigation would be obstructed by either permanent or shifting bars, and shallows, which would be often impassable for several days or weeks; and in wet seasons the torrents of water after heavy rains would totally stop the navigation, displace the stones and walls constructed to widen or narrow parts of the water-course, fill up parts of the channel, and sometimes destroy the dams and locks, and perhaps the boats. These contingencies would occasion great losses to the navigation, not only from the expence of removing sands and obstructions, replacing facilities, and rebuilding dams and locks, but also from the injury to the boats and their cargoes, the delay and loss of time, the consequent loss of toll, and the diversion of trade to other channels.

Another plan has been suggested, by digging a canal in the valleys, and along the banks of the streams above mentioned, pursuing the level as far as practicable, and constructing locks where necessary; thus rising to the summit level, from whence the navigation to the opposite tide water would decend in the valleys and along the banks of the other streams, by the same process.

This plan is also liable to objections:

First. From the frequent occurrence of deep ravines and gullies, conveying small runs of water to the stream of the valley, occasioning expensive aqueducts, culverts, walls, and embankments, which in wet seasons would be subject to injury.

Second. From the adjacent stream overflowing its banks, in some situations filling the canal with mud or sand, and in other places destroying the locks and sides, and washing deep holes.

Third. From the irregularity of the valleys, high promontories and low bottoms often succeeding each other, rendering the crossing of the stream frequently necessary, by expensive aqueducts.

Fourth. From the red stone and other hard matter difficult to excavate, forming the banks of several of the streams.

Fifth. From the circuitous route of the navigation.

Sixth. From the number of locks which would be required at irregular distances and in ineligible situations.

Seventh. And, above all, from the almost insuperable difficulty of procuring a sufficient supply of water at the crown level to answer the demand at the locks, for the passage of every boat to or from the summit; and from thence to the tide water.

Another route proposed was to make a cut from Lamberton to the Assanpink creek, and to proceed on the bed of the Assanpink to the mouth of Stony-brook, as in the first-mentioned route; from thence up the Millstone to Devil's brook, up Devil's brook to the head thereof, from thence across to Lawrence's brook, and to proceed on the bed of Lawrences's brook to the tide water of the Raritan. A third route proposed was to ascend Crosswicks creek to Doctor's creek, up Doctor's creek to the vicinity of Allentown, and from thence, crossing the Millstone and other intervening streams, to the Menolopen, then down the Menolopen to South river, and down South river to the tide water of the Raritan. A fourth route proposed was to proceed from the Assanpink, near Wright's mill, to the Menolopen near Mount's mill, or Spotswood. A fifth from Crosswicks creek to the head of Lawrence's brook, and a sixth from the head of Lawrence's brook to Wright's mill, on the Assanpink.

It has also been proposed to dig canals in the valleys of the above-mentioned streams on the foregoing routes, in the manner specified in the second proposition.

It is obvious that many of the objections to the plans already examined, apply also to these; and that there are others still more forcible from the elevation of the ground, and the scanty supply of water; but in order to appreciate their relative merits, it is necessary to take a general view of the district of country through which it is proposed to effect an inland navigation.

In the county of Monmouth, there is a ridge of highland, which, like the chief part of the district, is of alluvial formation. This ridge divides the waters of the streams running immediately into the ocean, from the waters of the streams running into the Delaware and the Raritan: the highest part is near Perine's and the Burnt taverns, in the township of Upper Freehold.

Within a circle of not more than five miles diameter, are the heads of Tom's river and Metetecunk, flowing into the ocean, of Crosswicks creek and Assanpink creek, flowing into the Delaware, and of the Millstone and South river, flowing into the Raritan. Although no actual measurement has been made, it may be safely asserted, that this spot is three hundred feet above the tide waters of the Delaware and Raritan; from hence the country gradually descends in a northerly direction to the mouth of the Millstone, a distance of thirty miles, and where the waters of the Raritan are not more than thirteen feet above the tide water.

It is manifest, therefore, that the further we proceed from this circle in a northerly direction, and the nearer we approach the mouth of the Millstone, the less will be our elevation above the tide water; but in our progress northerly, keeping in view the descended country between the Delaware and the Raritan, we are stopped by Rockyhill and the Sandhills; the former, a part of the granite ridge, first appears in the south-easterly part of Hunterdon county, passes through the westerly part of Somerset county, permits the Millstone to pass in a northerly direction through a narrow gap between Kingston and Rocky-hill Proper, and terminates in Middlesex county, near Dean's saw-mill, on Lawrence's brook, where it gives place to sand-stone and wack, which continue to New-Brunswick. The Sandhills are a detached mass of sand, of greater elevation than the terminating part of Rockyhill, and are situated about one mile to the northward of Dean's saw-mill. The sides of the gap of Rockyhill are of considerable elevation, with little soil. A spur or branch of Rockyhill, but of different formation, extends from hence northerly, for several miles, on the right of the Millstone, forming its second bank, and contains sand-stone and wack, also of considerable elevation. From this view it is apparent, that we cannot proceed to the northward of the termination of Rockyhill, and that the ground near this termination is lower than the ground to the southward of it, towards the sources of the Millstone and South rivers, and the Assanpink and Crosswicks creeks.

It is also to be noticed, that Stonybrook, from its confluence with the Millstone to the vicinity of the great meadows of Lawrence, and the Shippetaukin, from its confluence with the Assanpink to the same great meadows, are sluggish streams, with very little perceptible fall; and that in the time of freshes, part of the water of Stonybrook is discharged through the great meadows, by the Shippetaukin, into the Assanpink, from which it is inferred, that those meadows are lower than the Millstone and Assanpink above Scudder's and John Mount's mills.

It will likewise be recollected, that a single foot of additional height of the summit level of a canal, gives two feet additional ascent and descent of boats, increases the expence of constructing the locks, produces greater delay, and requires more labor for the transit, is attended with a greater consumption of water, and occasions a smaller supply, by placing the canal above the level of some streams, and nearer the sources of others.

From the foregoing objections to the old plan of using the beds of the streams with connecting cuts and locks, and to the more recent mode of pursuing the valleys of the streams with canals adjacent to their banks, and from a general view of the face of the country, it was proposed, as the plan of the Delaware and Raritan canal, that the lowest part of the ground, dividing the highest streams which would be intersected between the Delaware and the Raritan, should be ascertained, and assumed as the point of passage of the canal, which would be the highest part of the ground that it would be necessary to pass between the two rivers; that a level should be pursued from this place, and on this elevation, towards the Delaware and towards the Raritan, terminating on a high bank on the tide water of each of the rivers, and that locks should be constructed at such banks for the ascent and descent of boats, to and from the canal and the tide waters.

It appeared reasonable, that if this level could be pursued without meeting with hills or hollows, which could not be passed with moderate digging or embanking, and if banks could be found at convenient places on the tide waters of the Delaware and the Raritan, of the same elevation, or which might be made so, by moderate digging or embanking, that great advantages would result from the adoption of this plan.

First. The canal crossing the country on the surface of the ground, as much water as may be requisite of all the streams intersecting it, may be turned into it by dams and feeders, constructed in and from those streams, at short distances above the canal, and the quantity of water supplied will be regulated by the gates of the feeders, the remainder of the water will fall over the dams, and pursue the old channels through arches or culverts under the canal.

Second. It will not be necessary to conduct a feeder to the spot assumed as the crown level, as the whole canal will be of the same elevation, but

the feeders may supply the requisite quantity of water at any point or points between the Delaware and the Raritan.

Third. The canal being on a dead level the whole distance, its sides will not be subject to injury by the rapid flowing of the water, nor will the puddling be disturbed so as to occasion a loss of water.

Fourth. Heavy rains or freshes will not impede the navigation, nor injure the canal, as the quantity of water running into it will be at perfect command.

Fifth. There will be no difficulty in locating and constructing reservoirs for the whole line of canal, to be filled in the time of freshes, and to be used in dry seasons, to prevent any injury to the mills

Sixth. The mills and low lands on the streams will be benefited by the filling of the copious reservoirs, which will tend to diminish the height of the freshes, and to give a more regular supply of water in summer.

Seventh. The greatest drought will not prevent the continual navigation of the whole length of the canal from lock to lock, that is, from river to river.

Eighth. If by an increased intercourse, and the constant ascent and descent of large boats to and from the tide waters, there should not be a sufficiency of water for the locks in a dry season, without injury to the mills, modes may be adopted to transfer the freight of part of the boats to and from the tide waters to other boats, without any loss of water.

Ninth. Modes may be alao adopted to lessen the consumption of water at the locks on the tide water, by returning a part to the canal during the descent of the boats, and to obtain a further supply from the tide water during the descent of boats or freights, and at other times by means of other machinery.

Tenth. As in the usual mode of following the valleys of streams, the water must be drawn out of the connecting cut or summit level canal, whenever a boat enters or departs from it; if the level extends only a short distance, a basin for the summit locks will be necessary; but if the canal extends the whole distance without a lock, it becomes itself the basin for the locks, and other basins for that purpose will be unnecessary.

Eleventh. There will be no delay in ascending or descending locks at irregular distances between river and river; but the whole ascent or descent will be performed at one time and at one place.

Twelfth. Only two keepers of locks, with their necessary attendantss, will be required to superintend the ascent or descent of boats; but if there are fifteen or twenty locks at different places, as many superintendants will be necessary.

Thirteenth. The locks will be built at the tide waters of the rivers, where stone, lime, and other materials for their construction, may be brought by water, instead of being carted into the country, at a great expence.

Fourteenth. A plan is offered for consideration for ascending or descending the whole height between the tide waters and the canal, by a single lock, on a construction which will save a large proportion of the water, time, and labor which would be required by the common mode for the same height.

Fifteenth. If the sum appropriated or subscribed for the undertaking, should be insufficient for the whole expence, the canal may be completed, and used from the Delaware bank, to the Raritan bank, without locks in the first instance, and at a future period they may be constructed for the passage of boats to and from the tide water.

Sixteenth. The towing paths, being on a dead level from river to river, will form an excellent turnpike for carriages of a particular construction, during the winter season, when the navigation of the canal will be obstructed by ice.

Seventeenth. Mills may be erected on the banks of the canal, and the most arid part of the country may be irrigated by the surplus water.

Eighteenth. The grand trunk canal between the Delaware and the Raritan, being assumed as the New-Jersey level, minor canals may, at a future period, be constructed, branching off from it through most of the counties of the state, creating an easy, active, safe, cheap, and lucrative, inland commerce, by receiving the materials for agriculture, manufactures, and domestic economy and comforts, and by transmitting their multifarious products.

It being deemed expedient to ascertain the practicability of the last-mentioned plan, the commissioners, in order to obtain an accurate knowledge of the country through which the canal would pass, appointed Mr. Randel to make a map of the district on a scale of one mile to an inch, and to lay down the hills, valleys, swamps, roads, and streams of water, from such materials as it was in their power to procure; and they appointed Mr. Erickson, a skilful mill-wright, to follow the several streams within the district, to observe the banks and currents and to ascertain the number of mills, and the number of feet of fall at each, to be inserted on the map by Mr. Randel.

By means of this information, and a tour through the district in which the hills and streams, and the ascent and descent of the country were particularly attended to, it was ascertained that the lowest part of the ground dividing the streams intersected by a line drawn from the Dealware to the Raritan, is near Longbridge farm: from this place it was supposed that a level might be run to suitable banks on the Delaware and the Raritan, and that the proposed plan might be carried into effect.

Mr. Randel was appointed to run the level, and a contract was entered upon with him, by which he engaged to pursue a level line as far as was practicable from Longbridge farm to the Delaware, and to the Raritan, in the shortest direction that the ground would admit, which line should be run with the greatest accuracy, and be esteemed the base line of the work; to ascertain the angles of elevation and depression of the surface of the earth, and the angles and distances of the courses of the line; to place monumental stones in the base line about one mile apart, and to have the height of every monument above the tide water accurately noted; to give a section of the country at the distance of every half mile, at right angles with the base line, and from forty to eighty chains distant from the same, northwesterly and south-easterly; to sink shafts in the base line, averaging one for every mile, and six feet deep; to measure the quantity of water in all streams intersecting or running near the base line, by ascertaining the amount flowing in each stream in cubic feet per hour; to make a map containing a section or profile of the above levelled lines, the horizontal scale of which to be one thousand feet to an inch, and the perpendicular scale fifty feet to an inch; to make another map containing a bird's eye view of the route of the canal, and cross sections on a scale of one thousand feet to an inch, and to lay down on it all useful matter to be obtained while performing the survey, for the distance of one mile on each side of the base line; and to complete the general map of the country between

the Delaware and the Raritan, and three miles north west, and ten miles south-east of the Trenton and New-Brunswick turnpike road; and to finish the whole by the first day of October then ensuing.

It will be observed, that it was intended by this contract to establish a base line of great accuracy which might also perhaps be the line of canal; that the monumental stones denoting the exact height of each above the tide water might, at any time hereafter, be resorted to, in running lines of level diverging from the base line, to ascertain the height of places requiring investigation, as it was esteemed more proper to give scope to the professional talents of those practical gentlemen who may be hereafter employed, than to confine them to a particular course, being well aware of the propriety of the observation of Mr. Weston, that it requires the utmost skill of the professional engineer to determine on the proper line of canal, and that the success or failure of the undertaking frequently depends on this part of the work; that the maps, profiles, and sections, would furnish a general knowledge of the district country, and an accurate knowledge of the elevation and depression, topography and chorography of nearly two miles in breadth, of the most suitable tract for a canal; that the shafts would ascertain the nature of the soil, and the kind of earth to be removed, information so necessary in order to form an estimate of the expence of the work; and that a knowledge of the quantity of water which might be procured from the different streams would show the size of the canal that might be constructed, and the extent to which the navigation might hereafter be conducted.

In pursuance of this agreement, Mr. Randel commenced his operations on the fifteenth of August last, by causing exploring lines to be run from Longbridge farm, in direct lines, to the tide waters of the Delaware and the Raritan, and shortly after began to level the base line from the same place towards the Delaware; but from the late period of commencing the work, the subsequent unfavorable weather, and other contingencies, he did not arrive on the banks of the Delaware until the tenth of October, when he was under the necessity of suspending the levelling for some weeks, on account of prior engagements with the corporation of the city of New-York; he afterwards resumed the business, and, on the 29th of December, completed the field work.

The commissioners have since had the pleasure to receive Mr. Randel's report on the performance of his contract, accompanied with part of the stipulated documents, and now venture briefly to state, that, in their opinion, a canal may be constructed from the banks of the Delaware or Crosswicks creek to Longbridge farm, and from thence to the banks of the Raritan, between New Brunswick and Washington, on a dead level, without the necessity of a lock, and with very moderate extra digging or embanking: of course, the only ascent or descent will be on the banks of the rivers, between the tide waters and the canal; that by planning the surface of the water in the canal about thirteen feet below the surface of the earth, at the summit near Longbridge farm, the level may be pursued near the surface of the earth, and the canal may arrive at convenient banks at each end, about sixty eight feet above the medium of high and low tide water in the Delaware and Raritan; that Lawrence's and Devil's brooks, and Totamy's and Hixon's runs, and several other streams, may be admitted into the canal near their sources without dams, and that the surplus water may be discharged into their old beds without injury to the canal; that Cranbury brook, Millstone river, Bear brook, Assanpink creek, and Miry run, may be crossed on aqueducts, leaving sufficient space for the passage of the streams through arches under the canal; that it is at present supposed that part of the water of Cranbury brook and Bear brook, may be brought to the canal by raising the mill dams near the crossing places, and that the mills will be benefited by the alteration; that part of the water of Millstone river, Assanpink creek, and Doctor's creek, may be brought to the canal by feeders, which may extend from the canal on a level until they admit part of the streams, and that these feeders may be used as branch canals, communicating with the grand trunk, and extending the benefits of inland navigation several miles to the southward; that it will not be necessary that the canal should intersect Heathcote's brook, though it may run very near it; and that a part, or the whole, of its waters may be used, if expedient, by constructing a short feeder; that the route of the canal will not deviate two miles to the northwest or southeast of a straight line, and that the whole distance, including the necessary curvatures, will be about twenty-nine miles.

In the foregoing designation of the most eligible route, the commissioners have declined stating the precise spots for the commencement and termination of the canal on the tide waters; there are several which appear to have advantages nearly equal; to fix the particular points will be the business of the professional engineer; after a careful study of the banks and rivers, and after the plan of the locks has been finally determined on: to offer an opinion at present, would only give an imaginary value to places, which would be favorable to speculation, and unfavorable to the canal.

In estimating the probable expence of a canal, the commissioners are naturally led to consider its dimensions, the nature of the soil through which it will pass, the quantity and the price of the land which will be requisite, the plans of work which will be necessary for the safety and success of the enterprise, and the elevation of the level above the tide water.

As to the dimensions, the commissioners do not hesitate to declare, that their thoughts and wishes are directed, in the first instance, to the construction of a canal which may be applicable to national purposes; and which may form a link in the chain of inland navigation from Massachusetts to Georgia. The secretary of the treasury of the United States, in his report on roads and canals, in the year 1808, states, that a navigation for sea vessels drawing eight feet of water, may be effected from Massachusetts to the southern extremety of Georgia; and it is desirable that the proposed canal from the Raritan to the Delaware may be constructed in conformity with this plan. The water in a canal admitting vessels of eight feet draught, should be nine feet deep; and the sides should slope in the proportion of five feet to three; that is, for three feet rise there should be five feet slope on each side, or ten feet in the whole, being equal to an angle of thirty-one degrees with the plane of the horizon.

The sides of canals formerly were constructed with less slope; but the more modern are made, and it is supposed with good reason, with the inclination above mentioned. If, therefore, a canal is made twenty-six feet wide at the bottom, and nine feet deep, it will be fifty-six feet wide on the surface of the water; this surface should be the line of the canal, and be on a level, as nearly as practicable.

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Hæc olim meminisse juvabit.—Virgil.

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The original matter, &c. that generally has precedence in our numbers, is removed from its usual place to continue, uninterrupted, the report about he New-Jersey canal.

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with the general surface of the earth. If the line of the canal should be below the surface of the earth, an extra expence will be incurred for deep cutting; and if above, their will be an extra lockage, an extra leakage through the fresh earth, and in many places, an extra expence for embanking. The towing paths should be raised on the embankment two feet above the line of the canal, and should be formed of the excavated earth. Where moderate elevations intervene in the route of the canal, which cannot be avoided by a gentle deviation of the course to the right or to the left, a deep cut will be made; and where hollows or ravines in the same manner occur, an embankment will be raised. Where rivers or creeks are to be crossed, aqueducts will be constructed, while culverts will be sufficient for the transit of minor streams, which are not admitted into the canal. The expence of the excavation will depend on the nature of the excavated matter, and on the size of the canal: loose sand may be removed at less cost, per cubic yard, than tough clay, hard pan, or stones and gravel; and a narrow and shallow canal may be excavated at less expence, per cubic yard, than if it is broad and deep. The information on this subject has been very vague, probably from the above causes. In England there are estimates from three pence to seven pence sterling per cubic yard; in this country the commissioners on the canals of the state of New-York in one of their reports, have estimated the excavation at twelve and a half cents per cubic yard, and in another report, on the same canal, at twenty cents.

1st. For the canal under contemplation, as the ground is uncommonly favorable for excavation, being generally a sandy loam, it is concluded that twenty cents per cubic yardwill be a suitable estimate, calculating, as if the whole line of canal was on the surface of the earth, and including the deep cutting and embanking where requisite; the excavation, therefore, of a canal of the dimentions proposed will cost $14,432 per mile, for 29 miles $418,528

2d. The width of the canal on a level with the towing paths will be 62.66 feet, being 6.66 feet wider than the surface of the water in the canal, 62.66

The breadth of the towing paths, 24

The space requisite for the surplus excavated earth and for the slope of the external sides at an angle of 45 degrees, 45.34

Total width of the land required, 132. ft.

One mile in length, and 132 feet in breadth, will contain 16 acres, and 29 miles will contain 464 acres.

It is evident that in many places adjoining the canal the land will become extremely valuable, and that the benefits received by some of the owners would much more than remunerate the damages sustained by others; but as it is desirable that the proprietors should be perfectly satisfied with the proceedings of the government, the estimate of the value of the land may be made in the following manner:

1 mile averaging	$152 per acre—	$152
2 miles	100	200
4	80	320
6	70	420
8	60	480
8	50	400

29 miles avaraging $68 per acre, 1972

464 acres, averaging $68 per acre, 31,552

3d. There will also be requisite a further quantity of land on occount of high banking, deep cutting, and short turnings, which will require a greater width than 132 feet; also, for docks, basins, and landing places perhaps equal to 1-8th of the whole quantity—58 acres at $68 per acre, 3,944

4th. For reserviors, dams, and feeders, say 500 acres of land at $50 per acre. 25,000

5th. Water rights. As great care will be taken to preserve the power of the mills, and as very few sites will be destroyed, or even injured, it is estimated that $8,000 will be a sufficient compensation for the water rights, the owners reserving the land, 8,000

6th. Aqueducts. It is very difficult to estimate the expense of the aqueducts before the precise spots are ascertained, where the canal will pass the streams; but it is supposed that they will cost, if executed in substantial masonry, 60,000

7th. Culverts and bridges. It is proposed to construct culverts where practicable, for the passage of the public highways and the private roads, as well as for the passage of the small streams, and where impracticable, draw-bridges or swivel-bridges will be requisite; say 30 culverts, draw-bridges, and swivel-bridges 40,000

8th. Back-drains. Wherever there is an embankment, and wherever the surface of the water in the canal is above the surface of the earth, there ought to be a back-drain to protect the owner of the adjacent land from injury: there ought also to be drains to lead to and from the culverts, small streams and rain falls, which it would be improper to admit, or which cannot be conveniently admitted into the canal, 1,000

9th. Hard matter. There may be an extra charge for red shell and sand stone, to be excavated near the banks of the Raritan, which may be estimated at 5,000

10th. Blowing rocks. There are some granite rocks at the termination of Rocky-hill, near Dean's saw-mill, on Lawrence's brook; but it is presumed that $1,000 will be sufficient to remove them, 1,000

11th. Woodland and heavy timber. The extra charge on account of removing the

stumps and roots of trees ought not to be more than

12th. Short turns. The route will be very free from them, and $1,000 are deemed a sufficient estimate, 2,000

13th. Lining and puddling the sides of the embankment, and, in some places, the bottom and sides of the canal, 1,000

14th. Levelling and gravelling the towing paths, and dressing and re-soiling the external banks, 10,000

15th. For 20 over-falls, to discharge the surplus water of the canal, in case of rains, freshes, or extra admissions, in order to preserve the dead level of the water in the canal, and to protect the embankments—these may be estimated at $200 each, 5,000

16th. For 8 stop gates, to prevent the water from flowing off in case of an accident to an embankment, and to facilitate the repairs of such parts of the canal as may require it, at $1,200 each, 4,000

17th. Between each stop gate there should be a sluice, to let off the water for cleaning or repairing that part of the canal, at $150 each, 9,600

18th. For constructing reservoirs, dams, feeders, and water gates, 1,200

19th. For constructing docks, basins, and landing places, 30,000

20th. For toll-houses, fences, and land gates, 5,000

21st. For locks, 136 feet, at $1,250 per foot, 5,000

170,000

Probable expence of the canal, $836,824

In planning the locks, there will be an excellent opportunity for the display of the skill of the engineer. A spot may be selected, where there is a ravine gently sloping to the river for the extent of a mile; to avoid deep cutting, the canal may descend by the bank of the ravine, and a space of canal may be constructed between each lock, as a basin for the supply of the adjoining lower lock; or the ravine itself may be converted into a canal, with dams and locks across it, descending to the tide water; or ground gently sloping for a mile or two to the river may be divided into spaces for locks, with a basin between each, for the supply of the adjoining lower lock; or the canal may be brought to a basin on the bold bank of the river, and to avoid deep cutting, the boats may descend by a combination of locks constructed, nearly at right angles with the canal, in the bank of the river, and by the side of it to the tide water; or a lock may be constructed the whole height of the ascent from the tide water to the canal; boats may enter from the canal through gates, or from the tide water through a tunnel with gates; the water may be discharged for the descending boats into ten or twelve basins of intermediate heights, when the boat will be on a level with the tunnel, and depart; and the water reserved in the basins will raise the ascending boats to the level of the upper gate.

Locks of the common construction have usually a rise of from five to ten feet: locks of ten feet rise may be built for a less sum for the same total rise than those of five feet rise, as there will be only half the number, and, of course, only half the preparatory foundations, and much less time will be necessary for the ascent or descent of the height; but they will consume double the quantity of water, and they will be more liable to accidents and to be out of repair: they must be of the depth of the canal in addition to the rise, and the lower gates must correspond with the depth of the locks. In the present instance, it would be very difficult to construct substantial lower gates nineteen feet in height, that is, the proposed depth of the canal, with a rise of ten feet. If one of the locks has a greater rise than the rest, the consumption of water will be the same as if they were all of that height; thus, one lock of ten feet rise, and ten locks of five feet rise in succession, will consume double the quantity that twelve locks of five feet rise will consume.

The expence of the locks will depend, in some measure, on the plan of the construction: they have been built at the Little Falls on the Mohawk river for 1,000 dollars for every foot of the rise; but there excellent stone is on the spot, and the locks are only twelve feet wide: for the proposed canal, locks have been estimated at 1,250 dollars per foot, and the expence will be more or less, according to the plan by which they may be built.

As every provision should be made for the convenience and accommodation of the inhabitants of the district, it is proposed, whenever the ground will admit, that the culverts and the end arches of the aqueducts should be constructed of sufficient size for the passage of carriages and horses, by dipping roads, with a water course below the level; this easy mode of intercourse is also proposed for the public highways, which in some cases may be led to them, as they will be more permanent and less expensive than draw-bridges, or swivel-bridges, and they will be attended with no inconvenience to travellers or navigators, in the manner that bridges frequently are.

The legislature of the state having evinced their conviction of the importance and utility of inland navigation, by enacting the law under which this investigation has been made, it is unnecessary for the commissioners to enlarge on the utility of the proposed canal; but it may be proper for them to inquire into what may be termed the capacity of its utility; that is, whether it can be supplied with a sufficiency of water for an extensive, or even a limited navigation: for want of this inquiry, canals have been made in Europe at a great expence, and have been afterwards abandoned or converted into rail-ways.

The quantity of water required for the canal will depend on the plan of the locks, and the amount of the transportation, after making the necessary deductions for evaporation, soakage and leakage. The evaporation from a canal has been estimated in Europe at one tenth of an inch of the surface per day. Although there may be a difference in the amount in the proposed line of canal, it is safer to proceed on estimates which have been heretofore made, in countries where canals have been constructed, than to hazard an alteration without sufficient data.

The evaporation, therefore, on a canal twenty-nine miles in length, and fifty-six feet in breadth, will, at one tenth of an inch of the surface per day, amount to seventy-one thousand four hundred and fifty-six cubic feet.

The soakage into the earth, after the parts requiring it have been lined and puddled, may be estimated at the same amount per day—seventy-one thousand four hundred and fifty-six cubic feet.

The leakage at the locks may be estimated at three locksful, whether the rise of the lock is five feet or ten, as the line of aperture in the latter is double in height, and the pressure of the water at the bottom is in a quadruple proportion. If the

locks are eighty feet long, and twenty feet wide, three locksful of ten feet rise will be forty-eight thousand cubic feet; of five feet rise, twenty-four thousand cubic feet. There will, therefore, be requisite one hundred and ninety thousand nine hundred and twelve cubic feet, with locks of ten feet rise, and one hundred and sixty-six thousand nine hundred and twelve with locks of five feet rise, for the daily evaporation, soakage, and ordinary leakage of the canal.

A lock eighty feet long, twenty feet wide, and nine feet deep, may admit vessels of nearly a hundred tons burthen; it will also admit two canal boats, seventy-five feet long, nine and a half feet wide, and carrying fifty tons each, or four canal boats, thirty-seven feet long, nine and a half feet wide, and carrying twenty-five tons each, or three branch canal boats, seventy-five feet long, six feet wide, and nearly thirty inches deep, carrying twenty tons each.

Supposing fourteen locksful of water to be used at each end of the canal every day, or twenty-eight locksful at both ends, this may effect the daily ascent and descent of five hundred tons each way from river to river, on a computation that seventy-one and a half tons pass on an average at each operation of the locks.

It has been stated that a lock of ten feet rise will contain sixteen thousand cubic feet, and of five feet rise eight thousand cubic feet; twenty-eight locksful of ten feet rise will contain four hundred and forty-eight thousand cubic feet, and of five feet rise two hundred and twenty-four thousand.

But there will be an extra leakage at the locks, according to the number of times the gates are opened, which in twenty-eight times may be estimated at two locksful, or thirty-two thousand cubic feet on locks of ten feet rise, or sixteen thousand on locks of five feet rise.

The whole daily expenditure, therefore, with locks of ten feet rise, will be six hundred and seventy thousand nine hundred and twelve cubic feet, and with locks of five feet rise, will be four hundred and six thousand nine hundred and twelve.

It may be proper to observe, that the quantity of water is estimated by the number of times the upper lock is filled, as the water of that lock answers for all the locks below it in succession; and that the above estimated daily expenditure of water will amount to ninety-four hundredths of an inch of the depth of the canal, with locks of ten feet rise, and fifty-seven hundredths of an inch with locks of five feet rise. The advantage of the whole canal being the basin for the locks becomes apparent by this statement, as there will be no suspension of passage in the canal on account of an extra number of boats at the locks; but they may continue to pass without intermission for several days, even if there was no additional water admitted into the canal. Two hundred locksful, which will be sufficient to transport eight thousand tons from river to river, will lower the water in the canal only five and a half inches, while in the ordinary mode of ascending to the summit by distant locks, if there were locks within half a mile of each other at each end of the summit, and the same number of tons attempted to be transported, under the same circumstances, the canal at the summit would be drained to the bottom, before five thousand tons would pass, if practicable.

According to the computation of Mr. Randel, all the streams which are applicable to the supply of the canal discharge seven millions four hundred and eleven thousand cubic feet per day at the places where the water may be used; but the quantity of water which will be requisite for the canal, if twenty-eight locksful are used daily, has been stated to be four hundred and six thousand nine hundred and twelve cubic feet, with locks of five feet rise, which is less than one eighteenth part of the water flowing daily in the streams.

In planning a work which may continue for ages, great care should be taken to provide against emergencies which may occur at a future period. Although the natural streams may at present be sufficient for the supply of the canal in the existing state of commerce, prudence requires us to look forward to the period when, by the improvements of agriculture, in draining swamps and low grounds, and by constructing and clearing water courses, the natural summer supply of the streams will be greatly diminished, while the commerce will be increased by the completion of other canals and improvements, enlarging the sphere of action and intercourse, and which in time of war may be augmented in a tenfold proportion, by unarmed vessels withdrawing from the ocean within our own territories, and navigating safe waters. Attention should also be paid to the situation of the mills, and the machinery dependent on the streams. The preservation of these valuable works is of vital importance to the inhabitants of the district, and although the owners may be fully compensated if deprived of them, still the loss to the state would be immense, and ought to be avoided. With this view the commissioners have proposed to appropriate for reservoirs four hundred acres of land, to be procured while it may be obtained at a moderate rate and before the rise in the value of the soil, which may probably take place from the further improvement of the country, the erection of buildings, and the vicinity of the canal. The reservoirs collecting the water, which would otherwise run off in injurious freshes, overflowing the low grounds, and occasioning back-water at the mills, will benefit the agriculturists and manufacturers, and the water escaping from them by soakage will augment the springs and water courses, on a lower level, and furnish a further gradual supply to the adjacent mills, and, in some cases, to the canal itself. If the reservoirs make a part of the original undertaking, they will be better arranged than if introduced at a future day as a substitute for deficiencies; and if judiciously planned, there will not be the same danger of their injuring the health of the inhabitants by miasma, as there is from the overflowing of the low grounds of rivers. Reservoirs have been constructed for many of the canals of Europe: those of the canal of Languedoc contain five hundred and ninety-five acres, and those of the Rochdale canal cover three hundred and eighteen acres. The canal of the Forth and Clyde has one reservoir which covers a surface of fifty acres, and is twenty-four feet deep; and another, which contains seventy acres, and is banked up twenty-two feet at the sluice.

Some of the proposed reserviors may include ravines and swamps, at a distance from the canal, and if by embankments the water covers four hundred acres of land ten feet deep on an average, and if the reservoirs are filled by freshes twice in a year, there will be three hundred and forty-eight millions four hundred and eighty thousand cubic feet, and after deducting evaporation, soakage, and leakage, which may be estimated at two thirds of the whole, there will still be one hundred and sixteen millions one hundred and sixty thousand cubic feet applicable to the canal, which, with locks of five feet rise, will supply a sufficiency of water for two

hundred and eighty-five days, a longer period than the usual season of navigation. But if it is contemplated to have locks of ten feet rise instead of five feet, then it will be necessary for the reservoirs to contain six hundred and sixty acres, ten feet deep on an average, instead of four hundred, in order to supply water for two hundred and eighty-five days.

To the question, whether there will be sufficient water to fill the reservoirs, it may be answered, that Mr. Randel appears to have measured the water of the streams by the quantity used daily at the mills; and there is no estimate of the quantity which runs off over the dams during freshes. If we estimate that the district of country from which the water descends into the streams that may supply the canal, contains seventy-five square miles, and if we compute that only thirty inches of rain fall annually on an average, and that the quantity running from the surface, or issuing from the earth, within the seventy-five miles, amounts to three-fifths of the quantity falling as rain, there will be three thousand one hundred and thirty-six millions three hundred and twenty thousand cubic feet that flow off in the streams annually; deducting from this amount two thousand seven hundred and five millions fifteen thousand cubic feet, the quantity flowing in the ordinary way at the mills, according to Mr. Randel's mensuration, there will remain four hundred and twenty-six millions three hundred and five thousand cubic feet for the amount of the freshes, from which there will be taken three hundred and forty-eight millions four hundred and eighty thousand cubic feet for the supply of the reservoirs, leaving still a surplus of seventy-seven millions eight hundred and twenty-five thou sand cubic feet.

It will be expedient, notwithstanding, that there should be a communication, by feeders, with all the streams which may be applicable to the canal, as it would be unsafe to rely entirely on the reservoirs in cases of emergency. Several of the feeders will be branch canals for the immediate benefit of the district, conveying articles which, without water carriage, would not bear the expence of transportation, as street and stable manure, marl, plaster, stone, lime, ashes, ores, potters' clay, bricks, wood, charcoal, fossil, coal, turf, &c. The branch canals would diverge from the grand trunk in various directions, and could be constructed at a small expence for boats seventy five feet long, six feet wide, and nearly thirty inches deep, carrying twenty tons each.

There may be also other modes adopted for procuring a supply of water; it may be advantageously raised from the Delaware, or from the Raritan, by a variety of propelling powers. Thousands of tons of marl, of a fertilizing quality, almost equal to foreign plaster, drawn from inexhaustable sources near the track of the canal, which may be penetrated, at a trifling expence, by branch canals, will be annually called for by the agriculturists of the adjacent states. This great descending weight may be made the propelling power of more than two thirds the weight of water transported at the same time to the canal, while the descent of the marl may be effected by transhipment, without consuming the water of the upper level; the same machinery will answer for several other articles of freight, and by other machinery, and by transhipping the articles, the transportation may be extended to an immense amount without the loss of water.

Undertakings are frequently objected to on account of their novelty, and obstacles which appear insurmountable at first, are considered trifling when we become familiar with them; fortunately, no gigantic projects form the component parts of the proposed canal. By comparing the plan with the canals of other countries, it will be seen that the difficulties which were overcome in Europe were of much greater magnitude.

The canal of Languedoc, connecting the Mediterranean sea with the Atlantic ocean, is one hundred and eighty miles long: the proposed canal will be twenty-nine miles long. The canal of Holstein, connecting the Baltic sea with the German ocean, is fifty miles long, and ten feet deep: the proposed canal will be nine feet deep. The canal of Languedoc is one hundred and forty-four feet wide, including the towing paths, and the canal of Holstein is fifty feet wide at the bottom: the proposed canal will be eighty-six feet wide, including the towing paths, and twenty-six feet wide at the bottom. The summit of the canal of Languedoc is six hundred and thirty-nine feet above the tide water; of the Leeds and Liverpool canal, five hundred and twenty-five; and of the Rochdale canal, five hundred and twenty-one feet: the summit of the proposed canal will be only sixty-eight feet above the tide water. The canal of Ladoga is obstructed by ice above six months in the year: the proposed canal will not be obstructed by ice three months in the year. In the Rochdale canal, part of the water of one of the reservoirs is raised above sixty-feet by steam. At Harecastle, a canal passes through a tunnel, or subterraneous passage, which is two thousand eight hundred and eighty yards in length, and more than seventy yards below the surface of the earth. At Sapperton, there is a tunnel nearly two miles and a half in length. At Stratford meadows, a canal is carried on an embankment which is nine hundred yards long, seventeen feet high, and one hundred and twelve feet in breadth at the bottom. At Barton, an aqueduct, nearly fifty feet high, and five hundred yards long, conveys a canal over the navigable river Irwel; and near Bowling bay, an aqueduct of four arches carries the canal of the Forth and Clyde over the river Kelvin, and a valley sixty-five feet deep, and four hundred and twenty feet in length. In the canal of Languedoc, there are one hundred and fourteen locks, and only miles of the canal are on the same level: in the proposed canal there will not be more than thirteen locks at each end; and the intermediate distance of twenty-nine miles will be on the same level, and without an obstruction.

It will also be seen that great undertakings for the improvment of inland navigation are not confined to Europe: The Royal canal of China, from Canton to Pekin, is eight hundred and twenty-five miles long, fifty feet wide, and nine feet deep.

To complete the investigation it would be proper to examine the probable amount of intercourse in number of boats and tonnage, and the rates of tolls and receipts, and also the probable annual expenditures by salaries of superintendants and workmen, by wear and tear, and by contingencies. The commissioners have forborne to make this inquiry, as it was not made part of their duty by the law under which they acted, and as it has heretofore been represented to the house of assembly by a committee of that body, that "it is ascertained, from data tolerably correct, that during the late war, a sum, little short of two millions of dollars, was paid for cartage of various kinds of produce, merchandise, and military stores across this state."

In the foregoing estimate, the commissioners have inserted every item of expence which has oc-

curred to them in the course of their investigation, as applicable to the proposed undertaking; but as they do not profess to have any practical knowledge on the subject, they may have omitted charges which, by some persons, may be esteemed necessary, and there may be plans of work inserted which an experienced engineer may alter or dispense with. It rests with the legislator to determine whether it would be most expedient for the state to appropriate the sum requisite by annual instalments, and to procure funds for the purpose by loans or solicitations, or to permit individuals to subscribe, reserving a part for the state; or to grant to the United States authority to construct the canal, with such reservations of privileges to this state, and to the inhabitants in the vicinity of the canal, as it may be deemed expedient to stipulate.

If the latter proposition should be determined on, they are of opinion, that it may tend to induce the congress of the United States to promote and complete a general plan of inland navigation, as a strong cement of the union, an excellent preservative of the lives of voyaging citizens and mariners, a sure protection for domestic commerce, a ready way of transporting troops and military stores, and a cheap and safe mode of conveying the products and fabrics of American agriculturists and manufacturers to American consumers.

If the design should be commenced and accomplished under the direction of the United States, officers of the corps of engineers, with a due proportion of privates, may be stationed at the locks and reservoirs, and the whole business conducted with science and economy.

These civil fortifications, the cheap defence of the nation, and the silent preventive of the harm of an enemy, will then be arranged on the same plan, and for the same vessels, from Massachusetts to Georgia, and the whole voyage performed under the superintending care of the general government.

The commissioners regret that the short period of time since the completion of the field work by Mr. Randel prevents them from making a more perfect report. Being aware of the general solicitude on the subject, they have concluded to terminate their inquiries without further delay, and, with all due consideration, they respectfully submit the result of their labors.

JOHN RUTHERFURD,
JOHN N. SIMPSON,
GEORGE HOLCOMBE.

New-Brunswick, Jan. 22, 1817.

National Literature.

THE PORTICO, published in Baltimore, in monthly numbers, and, certainly, one of the ablest and best conducted periodical works that ever issued from the American press—"a proud specimen of American independence, talents and character"—we regret to learn, languishes and seems likely to fall for want of support. The *Edinburgh* and *London* Reviews, possessing *no more* merit than the PORTICO, and far less interest to *us*, spread far and wide through our country, disseminating their poisonous principles and arbitrary notions among the people; whilst this *native work*, devoted to elegant literature, and which might serve as an antidote to *foreign* productions, hobbles along and hardly gets on at all!

And is it so, that every thing must bear an *imported* character to give it grace in the eyes of an American public—are *we* always to despise the diamond that lies at our feet and travel to far countries in search of a gem less brilliant? This is too much the case: the British, not content with dressing our bodies, modestly assume the right of manufacturing ideas for us, and of directing their uses—and we submit to both. In numerous instances, we play the part of a "spoil'd child" (whose father had raised himself to sufficient opulence by the trade of *boot-making* to make a fool of his son) that requested old dad to import half a dozen pairs of *boots*, from England, for him: he would run the risk of being unfitted—they might hurt his corns or wound his heels, be too broad or too narrow—too thick or too thin, no matter what, if they were made of *English* leather, by *English* workmen; there was something excessively "*vulgar*" in being booted from his *father's* shop. When shall we look at *home* and have *home-feelings*? The old English song says, "Home is home, be it ever so homely"—but we seem to say—*English is English, be it ever so English*, and, on that account, ought to be preferred!

The work before us is entirely destitute of what we, in the United States, call party. Its ground is so broadly *national*, that the "American" and "Federal Republican" newspapers in this city—(papers as opposite in their *party* tenets as the antipodes) have equally united in deprecating its fall, as a loss to literature, elegance and the accomplished scholar; and in this, standing as it were between the two, we heartily join them.

My opinion about the influence of *foreign books* is well known to every one of my readers. I have considered them as among the most formidable engines that can be brought to bear against our favorite principles and best beloved institutions. I aim at *independence* every way; and would no more come under *Scotch* reviewers or *London* critics for the thoughts of my heart, than be subject to *Castlereagh* to direct my political conduct. These reviewers are continually libelling my country; and not unfrequently in the coarsest and most uncouth manner. That Great Britain has many very wise and learned men, is with pleasure admitted—but, in general, they want liberality; setting themselves up as gods of literature to whom all the world must do homage, or be anathematised. Is the rich soil and clear sky of the United States less productive of genius than the barren heaths of Scotland or mist-covered England—and why have we not writers as reputable to our intellect as the exploits of our army and navy have been to the courage and skill of our soldiers and seamen? The answer is given in the case of the *boot-maker's son*—we want a *national*, I had almost said a NATURAL, feeling, and are filled with prejudices in favor of *foreigners;* who hold us in a sort of vassalage, and treat us rudely, indeed, for our folly in submitting to it.——As to myself, (lest what is here said may give rise to invidious remarks) my pretentions to literature are very humble—I do not claim a name as a literary character; I can make out, generally, to tell a plain story so as to be understood, and this is about the extent of my learning—but, I think, I have some capacity to appreciate it in others; we may admire what we cannot imitate, and I certainly love elegant literature, though I do not possess it, to ameliorate our manners and refine society; which manners and refinement I would have *American*, suited to the genius of our government, destitute of every species of injustice and despotism. We have men capable of rescuing us from the slanders of insolent foreigners, in the field of letters; who, "point to point" and "yard arm to yard arm," will "meet the enemy and make them our's." But they must be encouraged—they must have the means to live; they must

not be suffered to languish, and, after every resource is exhausted, be compelled to retire from the contest, "without a shot in the locker." The poems of *Byron* and *Scott* have produced more clear money to booksellers of the United States, re-publishing them, than, perhaps, they have derived from *all* our native literary works, united—yet we have at least one man capable of rivalling *Byron* and of surpassing *Scott*, in every respect, whose *business* it would be to write poetry, if he could live by it—but he prefers a subordinate station and a small weekly stipend to the pursuit; well knowing that if he were to publish a volume of poems, superior to any thing that *Pope* ever put into his sweetest measure, or *Shakspeare* imagined, they would (after supplying a few *personal* friends, purchasing them out of compliment to him) remain to lumber the booksellers' shelves, while any sort of *foreign* trash, puffed by *foreign* reviewers, was selling by thousands. It is thus in every branch of literature: Its disciple is made sick by long-deferred hope, and, in poverty, abandons it. There is not, to my knowledge, one man in the United States who lives comfortably, and much less acquires fortune, by his talents as a writer. The honest truth is—descending from the PORTICO to the ————, that *stupidity* is among the best qualities to make money as an editor and publisher.* On this account, some may say that *I* ought to do well!—and so I would, if I had not enough of a love of my humble walk in literature to induce me rather to trim the midnight lamp to give a supposed value to my work, than spend an hour in dunning for the money earned by it.

Designing only to have written one or two brief paragraphs, I have been insensibly led to make a long essay. It has its object in what is the favorite wish of my heart. I am sensible that the sun is as big to the United States, my country, as to *England*, or even *Edinburgh*; and I will not travel across the Atlantic to enjoy its light and heat when I can have it at *home*. The liberal spirit of the WEEKLY REGISTER towards liberal foreigners or useful citizens, coming amongst us, is universally known. It has none of that ancient *John-Bull*-disposition that hates or despises every man or thing because he or it was brought to life or produced in a *foreign* country—let merit have its due, be it derived from whence it may. But I naturally wish, that we should give a preference to it in "our own household"—and it is time enough when we do not find the thing desired here to go abroad in search of it. By acting upon this principle in every respect, we shall raise up a *national feeling*, and inspire a *pride of country*, more powerful to operate for our safety, than all the fleets and armies of England, (and, in a little while hence, of all Europe, united) can do to our injury. Whatever we cannot get as good, or even as pleasing, at home, provided we have the means of indulging ourselves, let us courteously receive from *foreign* countries—giving only a preference, for like qualities, to the products of citizens and residents of the United States.

*See some of our most profitable newspapers, on both sides of the question, for proof of this.

LITERARY NOTICES.

TOOKE'S PANTHEON.

A new edition of this standard work has just been published by Messrs. *Coale* and *Maxwell*, Baltimore, embellished with thirty new and beautiful out-line plates, drawn from antique statues, engraved by *Fairman*. This work requires no eulogium from us. In the present edition an attempt has been made to render it free from that phraseology that made it, occasionally, too indelicate for the youth of either sex, while care has been taken that no fact nor incident, worthy of note, related by the author, is omitted.

Mr. COBBETT has issued proposals for publishing his *Weekly Political Register* at New-York, at $5 per annum, payable half-yearly in advance. Address *Henry Cobbett*, 19 Wall-street, post-paid.

The reason assigned for the discontinuance of the former Register at that place is, that the numbers intended to have been forwarded to the United States found their way into lord Castlereagh's office.

THE AMERICAN MONTHLY MAGAZINE, a new work, edited by *H. Biglow*, esq. and published by Messrs. *Kirk* and *Mercien*, New-York, has just appeared, and is highly spoken of. It is published in numbers of 80 pages, making 2 vols. per annum, for five dollars. This magazine is devoted to polite literature, criticism, &c. We learn from the editor's address that it already has 1000 subscribers.

Another work entitled, "ATHENEUM, *or spirit of the English magazines*," is publishing by *Monroe* and *Francis*, Boston, in semi-monthly numbers, of 40 pages, at $5 per annum. The title is sufficiently descriptive of the contents of this work.

The ALBANY REGISTER, edited by Solomon Southwick, esq. one of the oldest papers in the state of New-York, has been discontinued. The valedictory address explains the cause—and shews how easy a paper may expire for want of support, with a large subscription list. The disbursements of the printing business are very heavy—large amounts must be made up from small sums, which, because they are small, thousands neglect to pay—and they can do it at *any time*. One old balance is added to another, and year to year. While the hope of payment lasts, the harsh measure of stopping the paper is not resorted to; and finally the weight of debts due, after exhausting all the means of the publisher to bear up against them, breaks him down. For a little while, in a certain circle of friends, his fate is mourned; but he is soon forgotten, even by those who caused his fall, commencing a new course with some new candidate for their favor.

English and Scotch Reviewers.

Few, if any, numbers of these works, ostensibly devoted to lofty politics, polite literature and honest criticism, are issued without some libellous attack, or unprovoked invective, upon the American character. The most pitiful and contemptible things are raked up to round a calumnious period, and any stupid tale is accepted as a truth from sacred writ, if it tends to point it. The modest gentlemen who conduct them have kindly taken the science, literature, morals and general conduct of the whole world into their "holy keeping," as we say of the Inquisition, when it is tearing a man to pieces, in its dungeons, with red-hot pincers, to convince him of the merciful dispensation of the SAVIOUR OF MEN; and whatever does not come up to *their* standard, is barbarous*

*"Barbarous" is a favorite term with these reviewers, as applied to American literature and manners. The English *practice* may suit their refined notions better. "*I am ordered by my government*," said admiral *Cochrane* in a public despatch, "TO DESTROY ALL PLACES ASSAILABLE." This, according to the religious Dr. Sam. Johnson's opinion, that *all* of us

and absurd. We were not surprised at the report that Mr. Bagot, the British minister, had intimated to our government that his master would not view with satisfaction any arrangement with the late Spanish colonies which should contribute to the aggrandizement of the United States—[see the last number of the REGISTER, page 184]—well knowing the insuperable objection that the government of his country has to the aggrandizement of any power but its own—and which, if made, was treated by Mr. *Monroe* just exactly as the prince regent's governors would treat a remonstrance from us against *their* invasions of the territory of the king of *Kandy*—but we hardly expected that the London Reviewers would have been jealous already of the trade we have with the *Sandwich Islands*, and out of that get an item to abuse us!† It is a serious truth, that the visiting of these distant islands, governed by an independent and enterprizing prince, by our hardy mariners, in five or ten vessels in a year, is sufficient to provoke the anger of these moderate and unassuming gentlemen, who seem to think the "world was made for" England and themselves.

But as, from the general good and gallant conduct of our countrymen, they would die of the spleen for want of objects to whet their malice, (or earn their wages) upon, they seize on our literature, and mouth it and maul it, and chew it and champ it, like a hungry dog does a bone; twisting and turning it every way to get a taste of something suited to their appetite.

One might think, from the great zeal of those folks for the purity of the English language, in their terrible denunciations of *every* thing belonging to it on this side of the water, that their own people were faultless, and that they had nothing to do at home. Now the fact is, there is not a people in the whole world so ignorant of their own language as the people of England—a little spot of earth, with an unmixed population for ages. An anecdote that occured to me may illustrate this—I believe I have told the story before, but it is a good one and will bear a repetition. One evening taking a walk for amusement and exercise, I stopped at a public house and garden, on the outskirts of the town, to refresh myself, where I happened to fall in with several Englishmen, deeply engaged in passing encomiums upon the general learning of their own countrymen and depreciating that of others. I never meet this sort of boasters without feeling a disposition to oppose them; and so, knowing several of them, I joined in the conversation, flatly denying their positions, and proposing to prove, by themselves, that they did not know what they were talking about!—They stared at me and at one another, and the proof was demanded: I proposed some common phrases of about ten words, and requested that each person present should pronounce them in the dialect of the county he came from. As good luck would have it, the first that attempted it was from the "West-Riding," (I believe) of Yorkshire; he gave the words, and "staggered" all the rest; but the second, from Lancashire, completely knocked them down, and they ceded the point. Most of the words had no more the sound of English than of Hebrew.

I this day met with a pamphlet, of about 50 pages, published in London in 1805, entitled "*A view of the Lancashire dialect, by way of dialogue*," &c. with a "glossary;" which latter, I will soon shew the reader, is necessary to understand it. The words are spelt in this book as they are pronounced, and I am perfectly satisfied that nothing is exaggerated. The following is a quotation from the first page I happened to open. I shall write out a couple of sentences, and then refer to the glossary to put the English above them. A clown is relating his adventures—

Thou wilt say so by and bye. When I was tired of
"Theaw'll sey so eendheaw. Whau I'r toyard o
that place and crept away without [*a*] *bit or*
"that pleck; on erope owey, witheawt bit or sope,
or pinch of snuff; for I played the fool and on that
"or cup o sneeze; for I gawmbl't on †leet tat
go too. I soon enquired this gentleman's house
"gooa too. I soyne sperr'd this gentlemon's hoah
out; and when I got there, I gave a glance into
"eawt; on when eh geete tear, I gan o glent into
the cowhouse and saw a man standing in the ———
"th' shipp'n, on seed o mon stonning ith' groop.*

It was no easy matter to make this out—the word "sone" is not in the glossary, and "groop" may as well remain untranslated. The Lancashire dialect, is perhaps, the most uncouth and unintelligible of any in *all* England, but these are some eight or ten dialects more that are almost as much so; and which a well bred Englishman requires an interpreter to understand. A man may travel in the United States from Maine to Louisiana, without meeting any one that he cannot understand and be understood by, if he avoids the few Dutch and French settlements that yet, almost unmixed, remain in our young country.

From the preceding specimen and remarks most persons will conclude with us that the British reviewers have business enough at home, and are without any necessity of reaching across the Atlantic instruct us in the English language, in order to employ themselves.

ought to have been hung for our rebellion, may be a *polished* sentence—but the sentiment is important as being official, and perhaps *unique;* the probability is, that no other government ever issued such an order. We ought never to forget it; and really, with all the charities of heart collected, I feel at a loss to say whether it ought to be *forgiven.*

†See Quarterly Review for February.

†"*Leet*, light of, on, or met with, light and lightning."—GLOSSARY.

*The dialogue between Thomas and Mary [Tummas and Meary] begins with the following question and answer, which may amuse some of our readers—

Tum. Odds me, Meary! whooa the dickens won'd o thowt o'leeting o thee here so soyne this morning? Where has to bin? Theaw'rt aw on a-Swat, I think, far theaw looks primely.

Mea. Beleemy, Tummus, I welly lost my wynt: far I've had sitch a traunce this morning as eh neer had e'meh life: Far I went to Jone's o Harry's o'lung Jone's far't borrow their Thible to stur th' Furmety weh, an his wife had lent it to Bet o' my Gronny's: So I skeawr't eend wey, an' when eh coom there, hoo'd lent it to Kester o'Dick's, an the Dule steawnd im far a Brindl't Carl, he'd mede i int' Shoon Pegs. Neaw wou'd not sitch o Moon shine traunce potter onny Body's Plucks?

The Mails.

A much respected friend at *Henderson*, Ky. [illegible] notified me of the great detention of the WEEKLY REGISTER, and pointed out what he supposed were the causes of it. Believing that the public good might be subserved and my own interest

promoted by it, I forwarded the letter, with a polite note, to the post-master-general, from whom I received the following prompt and satisfactory reply. With such a proper disposition in the head of this important department, I would respectfully recommend that publishers, who generally have the most reason to complain of delays and losses by the mails, would rather endeavor to ascertain the *probable causes* of their disadvantageous operation, and make them known to the P. M. general, than indulge in common censures which very seldom have an effect to remedy them. By thus uniting our efforts, we might do much to promote the good of the establishment and our own interest.

General post-office, 15th May, 1817.

SIR—Since the receipt of your letter of the 13th instant, I have instituted an enquiry into the causes of the detention of mails on their passage to Henderstown, Ky. and I have taken measures to prevent further failures on that route. I am much obliged to you for the information contained in your letter, and I will thank you to point other errors that come within your notice.

Respectfully, your obd't,

R. J. MEIGS, jr.

Mr. H. Niles,
Editor of the Weekly Register,
Baltimore, Md.

Our Naval Officers.

The various letters that have been published from the officers of our several squadrons stationed at different times in the Mediterranean to their friends in the United States, do no less honor to their heads, than their courage to their hearts, or their prowess to their arms—presenting the happiest unions of *mind*, with valor and skill. Their descriptions of places are sometimes quite eloquent, and always amusing—and are the more interesting as coming from the quarter in which the foundation of our naval glory was laid in our wars with the Barbary pirates, erected, however, by the native genius of our countrymen, and carried to its pinnacle of fame by a chivalric devotion to the cause of the republic. They speak a language also, of a singular character—we *can* do this, we *will* do that, we HAVE DONE another thing; it is the language of men who suppose themselves invincible, on any thing like an equality of terms—*and they are so.* Talking of the famous port of *Minorca*, one of the finest harbors in the world, one of them says, "in case of a Spanish war our present force is sufficient to take the place."

The following are extracts from three letters from the present squadron in the Mediterranean—

"The mind in ruminating over the remains of antiquity, [the writer is immediately alluding to the ruins of Carthage] which abound every where in this part of the globe, is naturally led to consider the frailty and vanity of man. Of all the great cities that flourished in ancient times, little or nothing now remains but their bare names, save the deeds recorded of them by the faithful historian. If ever my country should cease to exist, may she leave behind her, an example of virtue, bravery and liberty, and so become the admiration of the world. May the historian have it in his power to say, "Behold a country that never bowed its neck to receive the tyrant's yoke," which, in its infancy, overcome one of the most powerful nations in existence, and established its independence on the firm basis of justice and equality, and preserved its freedom unblemished. In her old age she displayed the same deeds that distinguished her in childhood, till time, in his career, chagrined to see a people so happy, with his all powerful hand, cut them off forever."

"This place [Tripoli] is very interesting to an American, when he considers that here our infant navy first began to show those deeds which have since distinguished it. Here is where Decatur, Jones, Macdonough, &c. first displayed that firm and undaunted spirit which has added glory to their country, and immortalized themselves. The keeping up of a force in this sea is a good thing for our navy; as it not only gives the officers an opportunity of acquiring experience, but going into so many different ports, excites an emulation in cleanliness and discipline, which will be the lasting support of our navy. If an officer has no pride in his profession, he never will rise above mediocrity. There is as much pains taken to keep our ships neater and cleaner than those of other nations as there would be in fighting them: and it is with pleasure an American can hear the meed of praise given by all to his country's navy."

"He is as lazy as a Port Mahon soldier" is a common saying among our brave tars, and I must confess they are the laziest set of men I ever saw: they seldom appear in uniform, and their clothes look as if they never were in the wash-tub—when the sun shines you can see them in groups basking in its beams, employing their time in picking the vermin off their clothes and bodies—they are all convicts transported here from Spain. A few weeks before our arrival a ship arrived here with 150 on board in double irons, who were immediately released and habited like soldiers: they get for pay, per day 10 cents and their bread—all of them have the look of villians, they steal every thing they can lay their hands on, even the tomb is not sacred to them; they have broken up marble monuments and sold the pieces, which are very good merchandize here.

"As to the justice administered here [at Minorca] I shall give you but one instance, which is now the common topic of conversation at this place. A respectable gentleman who lives between Port Mahon and George-Town, has a profligate son, who married about six months since. He very soon run out the sum of money his father gave him and went to him for more, which the old gentleman refused and remonstrated on the impropriety of his conduct. The son left him and immediately went to two soldiers, to bargain with them to murder his father, on whose death the whole of the property would devolve on him, as the only child. The soldiers agreed to do it for two doubloons to be paid on the execution of the deed. But as he had not the doubloons he wanted them to wait for pay till he got the property. But they thinking, that, after the deed was done, the other would not pay, refused doing it without being paid before hand; some altercation arose and the son left them, saying that he could get it done for half the money. The soldiers unwilling to lose this opportunity of making money, lodged information against him before the magistrates. He was apprehended, and on trial it was fully proved his intention was to have his father murdered. The soldiers owned they would have done it had he paid them the money. The soldiers were released, and the son confined for three months, which time is now out, and he was set at liberty a few days since no doubt to commit a deed which ought to fill the soul with horror."

Legislature of Connecticut.

GOVERNOR'S MESSAGE.

Gentlemen of the council, Mr. Speaker, and Gentlemen of the house of representatives.

I enter upon the duties of the honorable station which has been assigned me, with emotions which I cannot describe. After a long absence from the state, I found myself on my return almost a stranger in the land of my fathers; and, till a recent period, I should have deemed no event more improbable than that which has rendered it my duty to address you from this place.

You, gentlemen, are all witnesses that the public suffrages have not been influenced by my solicitations and exertions; neither ought I to attribute the invaluable proof of the confidence of my fellow citizens, which at this time demands my grateful acknowledgements, to personal favor. If, indeed, my countrymen have been in some degree influenced in their choice, by a favorable estimate of the services I have performed in various stations, still it is my duty to acknowledge, that those services were commenced and continued under the guidance of illustrious men, who were among the founders of our nation; and that to the wisdom of their precepts, whatever has appeared most meritorious in my conduct, ought chiefly to be referred. It is sufficient honor for me to have obtained their confidence and approbation. Disclaiming all pretensions to a participation of their glory, I cannot omit to express the reverence I entertain for those sages, whom no artifices could deceive, no temptations seduce, no dangers intimidate. Their names have been already inscribed on the imperishable tablets of history, and in now tendering my homage to those, who, by divine favor, were instrumental in achieving our independence, and establishing our government, I presume that I perform a duty, which will be repeated by every future generation with increasing gratitude.

In attempting to perform the duty of inviting your attention to such subjects, as in my judgment require the consideration of the legislature, I am not insensible of the peculiar delicacy of my situation, arising not only from inexperience, but from the want of precise information respecting the actual situation of our public affairs. While I rely with confidence on the wisdom and intelligence of those whom I have the honor to address, I entreat that the opinions I advance, may be considered as the sincere convictions of my mind, declared under a deep sense of those obligations of duty and gratitude which bind me to my country. At the same time it is my ardent desire, that the consequences of any misapprehensions of the true interests of our constituents, which I may have involuntarily entertained, may be obviated by a rigorous examination.

As the ancient system of taxation established in this state, has ceased to be adapted to the circumstances of the people, I recommend that measures be adopted, with a view to a deliberate, and systematical revision. To this end, the formation of statements, exhibiting in detail the component articles which form the general list, both in respect to the state, and the particular Townships, with accounts of the annual contributions of the people for every purpose, distinguishing the permanent from the extraordinary expenditures, appear to be expedient. In forming a new system which must affect every individual, it is proper to combine every resource of information, and to possess *data*, by which the effect of every principle may be fairly estimated.

From sources of information collected at different times, and from continued reflections, my mind is convinced that the effects of the present system are far more injurious than can have been generally supposed; and as illustrations of this opinion, I submit the following observations to your indulgent consideration.

In respect to the capitation tax, it may be observed that an assessment of sixty dollars in the general list, is equal to that on *twenty four* acres of the best alluvion meadow in the counties of Hartford or Middlesex; or to that on *forty-eight* acres of the best meadow land in any other part of the state; or to that on *one hundred and seventy-five* acres of the best wood or timbered land in the vicinity of our navigable waters; or to that on a first rate new brick or stone house containing *twelve* fire places, in either of our cities; that deducting, according to a moderate estimate, the cost of clothing and other necessary personal expences, the annual contributions of a laboring man without property, are, on a medium calculation for the state, equal to *one sixteenth* part of his income.

Other taxes, which affect farmers of the middling condition, are not dissimilar in their operation. Their horses and oxen employed in agriculture, cannot be regarded as more eligible objects of taxation, than ploughs, harrows, and other instruments of husbandry, the tools of a mechanic, or the library of a lawyer, or physician. Though all these articles have an intrinsic value, yet whenever they are sold, they must be immediately replaced.—Distinctly considered, they are objects of *expence* rather than of *profit*, being merely aids to that skill and industry by which income is accumulated, and without which, neither can be exerted with success.

The same observations are applicable with equal force to the produce of dairies, tillage, and the growth of stock on a farm, so far as these increments are required for the support of a family.—The physical wants of persons are so equal, that with the exception of persons reduced to absolute slavery, the consumption of those articles which constitute *the common food* of the people, must always be in proportion to the *number*, rather than the *wealth* of different families. Hence it is has been regarded as an axiom in finance, that taxes levied on the consumption of the necessaries of life, are nearly equivalent to uniform taxes on persons without reference to property.

Although the object is of minor importance, yet the operation of the assessment on *fire places*, is very unequal. In our climate, three fire places are occasionally necessary to the comfortable accommodation of every family. According to our system, the tax is not imposed on the building as an index of the wealth or income of the occupant, but on *all* fire places whether used or not and with reference to the condition of the building as being new or decayed. Hence it must frequently happen, that the cottage of a man in very moderate circumstances, will be subject to a higher assessment than the ancient, but comfortable mansion of his opulent neighbor.

The assessment on mills, machinery and manufactures; on commercial investments; on the profits resulting from trades, professions, and employments, and on monies loaned on interest, are in my opinion, liable to the most decisive objections.—Unless they are imposed according to uniform and merely nominal rates, for the purpose of collecting statistical information, they are necessarily arbitrary and unequal. So far as they have any operation,

they tend to depress talents, skill, and industry; they expose individuals to odious investigations and comparisons, and serve to expel capital from the state.

It is an obvious policy of this state, to limit, by all reasonable means, those emigrations which menace our resources. Fortunately for the people, this object can be attained by the alluring influences of interest and affection only. These may be manifested by exonerating industry and skill from partial burdens, and by encouraging the free circulation of capital and credit. In proportion to the improvements in the arts, and the progress of civilization, the interests of the community become involved. Our state of society has already acquired such a degree of maturity, that agriculture, commerce and the mechanic arts, have become mutual supports and dependencies, which must flourish or decay together. Each of these interests are equally affected by those laws by which contracts are formed and adjusted, and to all, an exact adherence *to justice*, as the only basis of a firm credit, are equally essential. Owing to the subdivisions of real property, the farmers, hitherto the most independent class of citizens, cannot pursue their business to advantage, without a pecuniary capital, or an occasional resort to credit. Some estates are best adapted to tillage; others for pasture; and in a third, winter forage is most abundant. Hence arises the necessity for mutual credits, or the use of capital which may be fairly purchased but which will retire from the influence of legal coercion.

The mechanic arts have sometimes been represented as unfavorable to *public morals*. If instances can be adduced where artizans have become a degraded class of men, the causes of their depression are to be discovered in political regulations which have restrained their liberty and reduced them to poverty. The nature of their employments manifestly tends to a different result. It is in the work shop, that habits of order and attention to the effects of intelligent design are necessarily cultivated; and that fidelity, economy, and mutual co-operation, are discovered to be duties of indispensable obligation.

The freedom with which I have thought it my duty to disclose my sentiments respecting the operation of the existing system of taxation, upon the interests of a great proportion of our constituents, might, if my motives were unexplained, expose me to the effects of impressions, which self-respect requires me to obviate. It is now more than twenty years, since I presented a report to the house of representatives of the U. States, in which the exhausting effects of unequal systems of taxation in several of the states, especially in New England, were distinctly described. The opinions then expressed were not dissimilar from those now submitted to your consideration. As the principles of that report were approved by congress, and as the benefits of the consequent system, in equalizing the public contributions, have since been demonstrated by experience, I consider that I may fairly claim to be exempted from any suspicion of motives arising from my present situation if I earnestly recommend a rule of taxation which has received the sanction of the United States, to which I would add a few objects of assessment, connected with our local circumstances as being best adapted to promote the interests of the public

There are I believe, no principles in which the friends of civil liberty have more generally concurred, and in respect to which their opinions have been more emphatically pronounced, than that judges of the supreme judicial courts, should hold their offices, *during good behavior*, with salaries adequate to their independent support, and that they should never be permitted to exercise the functions of legislators.

The experience of every age has demonstrated, that no science can be improved and perfected, unless its interests are confided to the protection of a particular profession. The science of law, as it comprehends a knowledge of the human character, and the rights and duties of individuals, in every situation, and under every modification of society, ought to be cherished with peculiar attention.—Though no controversies have ever existed respecting the general principles of moral and social obligation, yet the regulations of every free and civilized state, must be numerous, complicated, and artificial, and the knowledge and proper application of them, must require faculties of the mind which are rarely combined. Whenever the laws become fluctuating and arbitrary, they cease to be rules proper for the direction of free citizens; and whenever their expositors are influenced in their decisions by the veering gales of party politics, the lives, liberties, and property of the people are rendered insecure. Moreover, history informs us, that disorders in the administration of justice, are, of all political evils, the least susceptible of redress.

Prior to the close of the revolutionary war, the judges of the supreme court were generally, if not invariable, designated from among themembers of the council. In May, 1784, a law was enacted by which the office of a judge of the superior court was declared to be incompatible with a seat in the legislature, or in congress. It was, however, at the same time provided that the judges should thereafter hold their offices, during the pleasure of the general assembly. The separation of the judicial and legislative functions has remained complete; yet as the commissions of the judges have been limited to a single year, the security, and, perhaps, dignity of their stations have been somewhat impaired.

It is conceded that the legislature of this state, has hitherto recognized the principles which appear as fundamental articles in most of the American constitutions, by admitting in practice, that the judges are, in equity, entitled to re-appointments during good behaivour, or the continuance of their ability to discharge the duties of their respective trusts. Still there is a manifest distinction between the tenure of an office during the pleasure of the general assembly, and a tenure for a single year. In the one case, the office is defeasible by a majority of one branch of the legislature, while in the other, the concurrence of both branches is necessary to effect a removal.

As the principles of the act of 1784, in effect, approximate to those declared in the constitutions of Massachusetts and several of the other states; as the sanctuary of justice cannot be rendered too secure and especially as our bench is, at this time, adorned with judges distinguished for learning, talents, and purity of character, I presume that no period more unexceptionable than the present, can be expected to occur, for the restoration of provisions of the highest importance to the present generation and to posterity.

There are no subjects respecting which the sensibility of freemen is more liable to be excited to impatience, than in regard to the rights of conscience, and the freedom of suffrage. So highly do the people prize these privileges, that they have sometimes ascribed to unfriendly motives, towards particular sects and denominations, such re-

gulations as were sincerely intended to secure an equality of rights to every portion of the community. Whenever the public mind appears to be considerably agitated on these subjects, prudence requires that the legislature should review its measure, and by reasonable explanations or modifications of the laws, restore public confidence and tranquility.

Happily for us, the principles which must govern all deliberations on these subjects, are neither abstruse nor uncertain. It is the right and duty of every man, publicly and privately, to worship and adore the supreme creator and preserver of the universe, in the manner most agreeable to the dictates of his own conscience: and no man or body of men have, or can acquire, by acts of licentiousness, impiety or usurpations, any right to disturb the public peace, or control others in the exercise of their religious opinions or worship.

Though the gospel of *Christ*, like the ark of *God*, does not require the support of human strength, yet it is conducive to good order, piety, and morality, that public teachers of religion should be designated, and that laws providing efficient remedies for enforcing the voluntary contracts of the people for their support, should be instituted and constantly maintained,

In respect to the most suitable mode of supporting the ministers of religion, there has existed some diversity of opinion among different denominations of Christians. That by fixed salaries, has been and probably will continue to be, most generally approved. In whatever mode the support is afforded, the history of the church proves, that such has been the attachment of the people to their pastors, arising from the veneration for their virtues, gratitude for the consolations they afford, and the utility of their influence, when employed in promoting peace and concord in society, that governments have more frequently found it expedient to restrain, than to stimulate the public munificence. It may also be observed, that the great body of clergy, have always enjoyed the highest degrees of esteem, liberality, and influence, under governments of a popular form, and where the greatest equality of condition has subsisted among the people.

In regard to the manner in which the right of suffrage ought to be exercised, it may be remarked, that not only the purity, but the freedom of the elective franchise, according to the dictates of private judgment appear to have been cautiously secured by our ancient institutions. As every freeman is bound by a solemn oath, that he will give his votes and suffrages *as in his conscience he judges* will conduce to the best good of the state, without respect of persons or favor of any man; as motives of friendship, personal favor and even private interest, are by this obligation, excluded from consideration, it was inferred to be but reasonable, that the freemen, in forming their decisions with reference to the persons most suitable to fill offices of honor or profit, should be exempted from those conflicts of feeling, which personal solicitations, the influence of office, or collissions of opinion, have a tendency to excite It must have been upon these principles, that the law has declared it to be a penal offence, merely to offer to a freeman a written vote without being previously solicited. The legislature will, in their wisdom, discern whether any well founded complaints of the violation of these principles have arisen, in consequence of the present mode of exercising the right of suffrage, and in that case, will doubtless apply the proper remedy.

It is the policy of every wise state; to consider well its situation and resources, and by systematical arrangements, to acquire and maintain, some honorable distinction among its neighbors, founded on a principle the least exposed to depression. In whatever relates to education, or the means of unfolding and directing the human faculties, to objects connected with the great interests of society, present and future, this state has nothing to apprehend from external competitions and rivalships. It cannot be a question whether all our existing institutions ought to be maintained, but in what degree and in what manner they can best be invigorated, extended, and directed to new objects of public utility. It is certain that no fame can be so durable, as that which would arise from the possession of institutions, for the cultivation of the human intellect of acknowledged pre-eminence; and in proportion to our success in obtaining this distinction, will be the extension of an influence more brilliant and useful, than under any which can be derived from accumulations of wealth or territorial dominion.

A general view of the circumstances of the state, presents subjects for consideration which require grave, united, and patriotic councils, founded on a just estimate of our situation. In the salubrity of our climate; in the fertility of our soil; in our facilities for external and internal commerce; in the extent and variety of our industry and skill; and in the intellectual endowments and energies of the people, we may securely confide; but we cannot conceal the evidences every where present, that our wealth has diminished; that commerce has declined; that agriculture languishes; and that the factories, and mechanic arts, from which a great proportion of the people derive their support, are oppressed by the stagnation of markets and the deficiency of an uniform medium of exchange.

Some of these embarrassments are not peculiar to this state, and are owing to the calamitous and impoverished condition of other countries. The redress of others, has, very properly been confided to our national councils, and from the operation of their measures, relief is gradually extending among the people. Still much remains to be accomplished by our collective and individual exertions, and much may be hoped from those sanative principles inherent in free governments, which serve to apply the deficiencies, or correct the errors of legislation.

An investigation of the causes which produce the numerous emigrations of our industrious and enterprizing young men, is by far the most important subject which can engage our attention. We cannot justly repine at any improvement of their condition. They are our relations and friends, who, in the honorable pursuit of comfort and independence, encounter voluntary toils and privations, and the success of their efforts, affords a most exhilirating subject for contemplation. Still it is certain that the ardour for emigration may be excessive, and perhaps the time has arrived, when it will be wise in those who meditate removals to compare the value of what they must relinquish, with what they can expect to acquire; and to reflect, that schools, churches, roads, and many other establishments necessary to the comfort, preservation and dignity of society, are appendages of real property in old states; and that in a comparative estimate, the expences of forming these establishments anew, ought to be added to the first cost and other charges incident to new settlements.

On our part it is important to consider whether every thing has been done, which is practicable, to

render the people contented, industrious, and frugal; and if causes are operating to reduce any class of citizens to a situation, which leaves them no alternative but poverty or emigration, in that case to afford the most speedy relief.

I hope to be excused, if I express a decided conviction, that the success of the manufacturing establishments of this country, is connected with our most essential interests. A state which is dependent on another, for clothing, arms, provisions, or the instruments by which they must be procured, cannot be tranquil, and must be insecure. I have no doubt that our advantages and resources for ensuring the complete success of these establishments, are superior to those of any other people; and I firmly believe that the embarrassments under which they labor, are temporary; and that they will diminish under the protection afforded them by the national government, and the operation of powerful causes, which are developing in their favor. Still, owing to the stagnation of commerce and exchange, the present is an interesting crisis; and they now need all the patronage which can be afforded them, by government, and public opinion. All which I venture to recommend at present is, that until our system of revenue can be revised and equalized, that they may be exempted from assessments, capitation taxes, and services in the militia; and that as doubts have been excited, whether manufacturing establishments are consistent with the general policy of this state, that this question may be settled by a resolution, expressing the sense of the legislature.

Notwithstanding every embarrassment incident to the present period, the rise, progress, and actual condition of this state, in connexion with the American republic, affords just cause for patriotic exultation. In particular, I desire to thank God, that my existence in this life has been allotted, during a period, distinguished by remarkable events, that I have constantly witnessed his protecting care of our beloved country; that I have seen the tree of liberty, the emblem of our independence and union, while it was a recumbent plant, fostered by vigilance, defended by toil, and not unfrequently watered with tears; and that by his favor, I now behold it in the vigor of youthful maturity, standing protected from violation, by the sound heads, glowing hearts, and strong arms of a new generation, elevating its majestic trunk towards heaven; striking its strong roots in every direction through our soil; and expanding its luxuriant branches, over a powerful, united and prosperous nation.

OLIVER WOLCOTT

General Assembly, May session, 1817

Legislature of Rhode-Island.

GOVERNOR'S MESSAGE.

The honorable senate and house of representatives of the state of Rhode-Island.

It is the boast and pride of the citizens of the United States of America, that they alone of all the nations of the earth, are privileged in choosing whom they will, to watch over their affairs and to direct in their public councils. This inheritance was bequeathed us by our fathers, and we are bound to transmit the blessing, unimpaired, to posterity.

In reviewing the political events of nations, we have much reason to be thankful to the supreme ruler of the universe, for casting our lot in this "*New World*," for here alone rational liberty is enjoyed. Here we behold the asylum of the oppressed—a country growing in wealth, population and virtue, respected abroad and admired at home—at peace with all nations, and having entangling alliances with none—possessing a character for wisdom, valor and justice—our public burthens daily lessening, and our empire peaceably extending, with a rapidity unparalleled in the history of nations.

Such, fellow-citizens, is the situation of our common country, at the time we are entrusted with the political destinies of Rhode-Island. Be it our care to preserve her rights in the participation of those blessings.

Although the clangor of arms during the late conflict with Great Britain has not been heard at our immediate fire-sides, yet the citizens of this state have not been exempt from a share of the public burthens; they have, however, contributed their portion to the public wants, with a promptness becoming freemen, determined to maintain inviolate the principles declared by the sages of 1776. Though demagogues may have attempted to make a stalking-horse of the necessities of the times, the people have remained true to themselves and their country, and have kept in view its honor and independence.

The philanthropist will regret the frequent recurrence of wars, which tend to impoverish and demoralize society; but we should recollect they always spring from the degeneracy of man; and that a defensive war is not only just but even necessary. The names of *Greene, of Perry, of Allen*, and other heroes, by offering themselves in the front of battle, in defence of their country's rights, have been seen covered with glory, and will ever be remembered by their grateful countrymen.

It is true that peculiar occurrences have caused temporary embarrassment to some of our citizens; but is confidently hoped that the approaching season will dispel them, and a plentiful harvest crown their labors.

According to the ancient usages of this state, the present session of the legislature will be limited to the election of officers for the ensuing year. In performing this part of our duty, I trust we shall divest ourselves of all party animosities, and carefully investigate and decide on the merits of the candidates by this criterion only—"*Are they honest, capable, and faithful to the constitution.*"

On this occasion I cannot omit calling your particular attention to the judiciary department of this state. Is the system perfect in all its parts? Does every man, according to our bill of rights, obtain justice, freely, completely, promptly and without delay? If on a review of this subject, amendments are deemed expedient, I would suggest for your consideration, whether the present time does not afford an opportunity.

It is a fact, established by experience, that an enlightened and upright judiciary, constitutes a main pillar in the edifice of freedom. What avails the name of liberty, if our persons and property are unprotected either from violence, the law's delay, or an uncertainty of judicial opinions?

On this first occasion of my addressing you, it may not be amis to give this public assurance, that at all times I will endeavor faithfully to administer the executive functions vested in me, and will cheerfully contribute my aid to any measure that may have for its object, the security of the lives, liberty and property of our fellow citizens; and to perpetuate the republican principles of our government.

N. R. KNIGHT

May 8, 1817.

Foreign Articles.

ENGLAND, &c.

English and French dates to April 21.

American stocks at London, April 10—6 per cents. 102½—103; 3 per cents. 61—61¼.

It is now said that lord *Cochrane* will proceed in a frigate, fully armed and manned, to South-America—every thing fitted in the first stile. It is also reported that the Spanish minister at the court of London has remonstrated against it, but it is stated the British government are glad to get rid of him, and have waved the application. It is expressly said that he means to join his force to that of the patriots; and we are really glad that they are about to receive such a powerful auxiliary.

It is almost impossible to take up an English paper without seeking an account of a man being hung, for one crime or another. The frequency of occurrences of this kind brings to recollection a saying attributed to the priest stationed at Newgate. When the new drop was made, he, with others, went to examine the accommodations it afforded. One of the company thought the drop was not large enough—but the priest said he was of opinion "that six or seven might hang within its space very comfortably."

Forty-six persons received sentence of death at the Lancaster assizes. A London paper of April 14 says "from fifteen to fifty capital convictions have taken place in almost every county." "Millions of seditious and *blasphemous* tracts have been spread among the lower classes."

Eight of the "Luddites" received sentence of death, at the late Leicester assizes. A "frame-breaker" was sentenced to be transported for life. Those executed left behind them more than *thirty* children.

The following is an extract from a handbill put in circulation at *Manchester*—possibly by the agents of government to frighten the people, and afford pretences for measures that could not be justified but upon some great emergency:

"Countrymen, the day of doubt and indecision is past! Treason and rebellion in open war, stand confessed! Perhaps before this reaches the public eye, the blood of civil strife, the blood of the innocent and the guilty, the blood of the traitor and the peaceful citizen, have flowed in mingled torrents down the streets of some of the principal towns in the kingdom of England! Last night the 30th of March, the night of Palm Sunday, was fixed upon a general rising and massacre, in furtherance of insurrection and open rebellion!"

We noticed in our last, the steady emigration from England to the United States. They who now come to us are chiefly of that class which once was the pride and glory of England—the *middle class*, the bone and sinew of any country fortunate enough to have it, extensively; the poor, alas! cannot change their residence—they are chained to the soil more tightly than our negro slaves, and the rich can "live any where."

The suspension of the *habeas corpus* appears to operate much more severely in Scotland than in England. Glasgow, Paisley, and other manufacturing towns, suffer the most—"hardly a day passes without several arrests being made." Those subjected to it are dungeoned without examination, and excluded from any intercourse with each other or their friends; who, indeed, do not know where they are. This is the far-famed "*British liberty*," which formerly made the islanders always speak of the French as "*slaves*:" but that day has past, and *John Bull* says nothing on *that* subject.

The following is a copy of a circular letter from the secretary for the home department to the lords lieutenants of counties:

"*Whitehall, March 27, 1817.*

"MY LORD—As it is of the greatest importance to prevent, as far as is possible, the circulation of blasphemous and seditious pamphlets and writings, of which, for a considerable time past, great numbers have been distributed about the country, I have thought it my duty to consult the law officers of the crown, whether an individual, found selling, or in any way publishing, such pamphlets or writings, might be brought immediately before a justice of the peace, under a warrant issued for the purpose, to answer for his conduct. The officers, having accordingly taken this matter into their consideration, have notified to me their opinion, that a justice of the peace may issue a warrant to apprehend a person charged before him, upon oath, with the publication of libels of the nature in question, and compel him to give bail to answer the charge.

Under these circumstances, I beg leave to call your lordship's attention very particularly to this subject; and I have to request, that if your lordship should not propose to attend in person at the next general quarter sessions of the peace to be holden in and for the county under your lordship's charge, you will make known to the chairman of such sessions the substance of this communication, in order that he may recommend to the several magistrates to act thereupon in all cases where any person should be found offending against the law in the manner above mentioned. I beg leave to add, that persons vending pamphlets or other publications in the manner alluded to, should be considered as coming under the hawkers' and pedlars' act, and dealt with accordingly, unless they show that they are furnished with a license, as required by the said act.

I am, sir, &c. SIDMOUTH.

"*To his majesty's lieutenant of the county of Chester.*"

The British parliament adjourned from the 14th to the 17th of April, on account of the illness of the Speaker. It is understood that the present parliament will be *dissolved* at the close of the session. It seems determined to lay a tax of 20 per cent. upon the property of absentees.

Four divisions, of about 150 men each, marched into Manchester between 1 and 2 o'clock in the night of the 11th April, with military exactness and silence. The nature or object of these parties is not stated.

Castlereagh was sick, at the date of our last accounts.

The price of flour had further declined in England.

It was expected that the *income tax* would be resumed to meet the exigencies of the government. A war establishment, as to taxation, in time of peace.

The prince regent.—The following is the concluding paragraph of an address of "the bishop of the diocese of Winchester; the reverend dean and prebendaries of the cathedral church of Westminster, with the other members of the said church, the chancellor, and arch deacons of the said diocese, together with the clergy of the same," to the prince regent on the late attack made on him: these reverend folks have well subjected themselves to the "*suspicion of being suspected of treason*" by thus making fun of wretched *George Guelph*.

"We daily offer our prayers to God for the long continuance of *those blessings*, the fair prospect of

which is open to us [ourselves] by the exercise of every *public* and *domestic virtue* which so highly distinguish your royal highness both in your *public* and *private character*, and which hath laid the surest foundation for the *future happiness of your people*, together with *your own*, and insured to your royal highness that *glory and prosperity*, which is the *never failing reward* of every good and virtuous king in the love and affection of a grateful people."

FRANCE.

The *Federal Republican* significantly calls the king of France "a *sovereign* in a *go-cart*."

The duke of Wellington was to leave Paris for England on the 28th of April—as it was said, "to attend the feast of St. George."

French 5 per cent. stocks, 66f. 90c. to 67.

The pamphlet entitled "La Coalition et la France," which was published in Paris some time ago, has produced a very curious sensation. In this pamphlet, most injurious aspersions are flung on the British and Austrians courts, and to these powers all the humiliations and sufferings of France are ascribed. Personal reflections are made also on the duke of Wellington—and it is said that he has complained of them, demanding the punishment of the author. The minister of another of the allied powers interfered in his behalf with such success, that the author, who manfully avowed himself, and demanded to be fairly tried by the tribunals, was liberated without even a reprimand This affair has given rise to much discussion in the diplomatic circles, as it is pregnant with important results. Since this the pamphlet has disappeared from circulation, and rumor says the copies have been bought up.

Paris, April 15.—A telegraphic despatch, dated Calais the 10th of April, announces the arrival in that harbor of several transports with 450 *French and Italian prisoners of war, who had been in the service of England, from which they were now discharged.* The French will be transmitted to their departments.

BONAPARTE.

In the late debate on lord Holland's motion, earl Bathurst said—"*It might be a question, whether this person was to be detained at all;* but if he was to be detained, the most vigilant measures ought to be adopted to prevent his escape."

NETHERLANDS.

Fourteen sail of vessels were preparing at Amsterdam to bring out *five thousand* Swiss and German passengers to the United States. This rapid emigration appears to have alarmed the Swiss and German *dealers in men*, and many efforts, *fair and foul*, are making to check it. Among the latter, "letters from America," (such as British *travellers*, confined to a garret in London, are accustomed to write about the affairs of our country) are extensively published, with a sort of semi-official sanction. One body of Germans that arrived here sometime ago, were certainly cheated and deceived by the Dutchman who contracted to bring them over —a man as phlegmatic as the water in the canals of his country, and some of them suffered much in consequence of it. But several of those who came in that vessel, we know, are exulting in the change they have made, even on the unreasonably hard terms that were imposed upon them. The Paris papers attribute these great emigrations to "Dutch speculations."

SPAIN.

The treasury of Spain is in the most beggarly condition. A great effort has been made to raise only 500,000 dollars at Cadiz, among the merchants—but the application, if not treated with contempt, was received with marked indifference.

Many arrests are making in Spain. The vile government has numerous agents through the country who mix with the people and abuse the king, his ministers and priests, to lead others into like expressions, who are then marked, and soon after privately arrested "to be seen of their friends no more." The minds of the people are represented as in a state of desperation, through poverty and despotism. The fellow who informed against the patriot Rechar, at Valencia, was assassinated on the on the anniversary of that offence; his head was cut off and stuck upon a stake in the public square, with this inscription—"*Debt I pay to the heroes Rechar and his companions, sacrificed through my traitorous denunciation.*"

ITALY.

The Paris papers say that the disputes between the United States and Naples still remained unsettled.

The labors of excavation at Pompei have lately been renewed. On the 22d March, a magnificent temple was discovered, in the midst of which were found statues of collossal proportions, one of them from 20 to 22 palms in height.

THE POPE'S BRIEF.

To the editor of the London Morning Chronicle.

Sir—Having observed in a morning paper of this day (April 10th,) a loose translation of an important papal document, which will probably be quoted for generations to come, I send you a more literal version, together with the Latin itself, that you may compare them, and print the English for the information of your readers. I am, &c. &c.

SCRUTATOR.

P. S. I shall publish immediately both the Latin and English at Mr. Hatchard's, with notes and illustrations.

Translation of the bull against bible societies, issued June 29th, 1816, *by Pope Pius VII. to the arch-bishop of Gnesh, primate of Poland.*

PIUS P. P. VII.

Venerable brother—Health and apostolic benediction. In our last letter to you we promised, very soon, to return an answer to yours; in which you have appealed to this holy see, in the name of the other bishops of Poland, respecting what are called *bible societies*, and have earnestly inquired of us what you ought to do in this affair. We long since, indeed, wished to comply with your request; but an incredible variety of weighty concerns have so pressed upon us on every side, that, till this day, we could not yield to your solicitation.

We have been truly shocked at this most crafty device, by which the very foundations of religion are undermined; and having, because of the great importance of the subject, conferred in council with our venerable brethren, the cardinals of the holy Roman church, we have, with the utmost care and attention, deliberated upon the measures proper to be adopted by our pontifical authority, *in order to remedy and abolish this pestilence as far as possible.* In the mean time we heartily congratulate you, venerable brother, and we commend you again and again in the name of the Lord, as it is fit we should, upon the singular zeal you have displayed under circumstances so dangerous to christianity, in having denounced to the apostolic see, *this defilement of the faith so imminently dangerous to souls.* And although we perceive that it is not at all necessary to excite him to activity who is making haste, since of your own accord you have already shown an ardent desire to detect and overthrow the *impious machinations of these innovators: yet, in conformity with our office, we again and again exhort you, that whatever you can achieve by power, provide for by counsel, or affect by*

authority, you will daily execute with the utmost earnestness, placing yourself as a wall for the house of Israel.

With this view we issue the present Brief, viz. that we may convoy to you *a signal testimony of our approbation of your excellent conduct* and also may endeavor, therein still more and more to excite your pastoral solicitude and diligence. For the general good imperiously requires you to combine all your means and energies to *frustrate the plans, which are prepared by its enemies for the destruction of our most holy religion:* whence it becomes an episcopal duty, *that you first of all expose the wickedness of this nefarious scheme,* as you have already done so admirably, to the view of the faithful and openly publish the same, according to the rules prescribed by the Church, with all the erudition and wisdom which you possess; namely "*that the Bible printed by heretics, is to be numbered among other prohibited books, conformably to the rules of the Index* (Sec. No. 2 and 3,) *for it is evident from experience, that the holy Scriptures, when circulated in the vulgar tongue, have through the temerity of men, produced more harm than benefit*" (Rule IV.) And this is the more to be dreaded in times so depraved, when our holy religion is assailed from every quarter with great cunning and effort, and the most grievous wounds are inflicted on the church. It is, therefore, *necessary to adhere to the salutary decree of the congregation of the Index* (June 13th, 1757,) *that no versions of the bible in the vulgar tongue be permitted, except such as are approved by the apostolic see, or published with annotations extracted from the writings of holy fathers of the church.*

We confidently hope that, in these turbulent circumstances, the Poles will give the clearest proofs of their attachment to the religion of their ancestors; and by your care, as well as that of the other prelates of this kindgom *whom, on account of the faith we congratulate in the Lord,* trusting that they all may very abundantly justify the opinion we have entertained of them.

It is moreover necessary that you should transmit to us, as soon as possible, the bible which Jacob Wuick, published in the Polish language with a commentary, as well as a copy of the edition of it lately put forth without those annotations, taken from the writings of the holy fathers of our church, or other learned Catholics, with your opinion upon it; that thus, from collating them together, it may be ascertained after mature investigation, that certain errors lie insidiously concealed therein, and that we may pronounce our judgment on this affair for the preservation of the true faith.

Continue, therefore venerable brother, to pursue this truly pious course upon which you have entered; viz. diligently to fight the battles of the Lord for the sound doctrine, and warn the people intrusted to your care, that they fall not into the snares which are prepared for their everlasting ruin. The church demands this from you as well as from the other bishops, *whom our rescript equally concerns;* and we most anxiously expect it, that the deep sorrow we feel on account of *this new species of tares which an adversary has so abundantly sown,* may, by this cheering hope, be somewhat alleviated; and, we always very heartily invoke the choicest blessings upon yourself and your fellow-bishops, for the good of the Lord's flock, which we impart to you and them by our apostolic benediction.

Given at Rome, at St. Mary the greater, June 29, 1816, the 17th year of our Pontificate.

PIUS P. P. VII.

GERMANY.

The navigation of the *Danube* is stated as being open on the 1st of April. An interview between the emperors of Austria and Russia is spoken of. Many couriers have lately passed between Vienna and Petersburgh. Some have given great importance to the projects of these monarchs.

Many societies have been formed in Germany to prevent the use of British manufactures and encourage *home* industry.

RUSSIA.

The amount of goods imported into St. Petersburgh last year, was about 90,000,000 rubles—exports, nearly 77,000,000.

The country between Irkutsk and Nerischink, in Siberia, has been invaded by a great number of *bears*—penetrating the hamlets and remote habitations in a most furious manner, the inhabitants of which had much difficulty in repelling their attacks.

SWEDEN.

Several regiments of soldiers are stationed in the capital, to give *energy* to the will of the government.

A "conscription," no longer a work so shocking, seeing it is not made by order of Bonaparte, is making in Sweden. It takes in all the young men in the kingdom born in 1796. There appears to have been a very serious conspiracy to put Bernadotte out of the way, and "restore" the old line of kings.

Stockholm, March 25.—Count Gyllerstrom, marshal of the court, and proprietor of estates in Pomerania, is exiled from the kingdom; he is to leave this capital in three days. There exists here at this moment a fermentation in the public mind, of which it is impossible to forsee the consequences. The government displays great energy. Vigorous measures are spoken of as proper to repress the parties which are showing themselves in the kingdom.

BRITISH AMERICA.

The ice was firm in the St. Lawrence at Quebec on the *first of May.* Many May-poles were planted upon it. The same thing is said to have happened 40 years ago; but then the ice gave way on the 2nd of the month. Much snow remains in the vicinity. Later accounts inform that the ice broke up before the town on the 4th.

WEST INDIES.

The people of many of the West India islands are seriously alarmed as approaching a state of starvation. At St. Kitts, after stating the supply of flour on hand, they pray the governor to open the port. The export of "ground provisions" is forbidden at St. Vincents.

SOUTH AMERICA.

A vessel has arrived at Boston in 39 days from *Pernambuco*—passengers don *Antonio Gunzaloo de Cruz,* minister from the new government to the United States and his suite. Every thing was tranquil and prosperous—the patriot administration was acknowledged by all the towns immediately dependent on Pernambuco, and by the people of the interior. The provincial government had resolved to raise a regular army of 15,000 men, and the province of Pernambuco alone is said to be capable of furnishing 40,000 well regulated militia. If so—the Brazillian kingdom may be considered as approaching its end. The clergy appear to have taken part with the revolutionists, which is a great thing there.

The Portuguese minister in the United States has published an official notice of the blockade of the port of Pernambuco, by the ships of war of his "most

faithful majesty"—as the king of Portugal is called.

☞There are many printers in the United States who, when a *British* vessel of war has been spoken at sea, &c. describe her as "*his* majesty's" ship, just as an Englishman would do, without a national qualification—and there are others who rent the air with huzzaings for the "Spanish patriots," who call those struggling for emancipation from Ferdinand and the inquisition, "*insurgents.*"

A report prevailed in London that the British ministry, in consequence of the offer of some commercial advantages by Spain, had accepted a proposition of Ferdinand to *mediate* between him and the independent provinces of S. A.—and it was said that *Cockburn* was to command a squadron destined for the coast.

The dreadful war of extermination still rages in Venezuela. Bolivar, with an army of 4 or 5000 men having passed into the interior for the purpose of forming a junction with the patriot general Ardenot, approaching from Santa Fee, the royalists recovered Barcelona, and massacreed the small garrison left, with all the women and children. A general battle was soon expected, not far from Caracas.

CHRONICLE.

The supreme congress of the Mexican republic, have voted to Henry Clay, the speaker of the house of representatives, their thanks for the disinterested, manly, and generous sentiments he expressed on the floor of the house, for the welfare of that infant republic.

It is stated that 800 rafts of lumber passed Easton Penn. in the course of one week, which upon a rough calculation makes upwards of 30 millions of feet —or in value about 600,000 dollars.

The several banks of the city of Albany have adopted the following regulations in respect to all notes offered for discount.

Accommodation notes hereafter offered for discount, to be drawn payable 63 days after date. All notes drawn for a shorter period will be considered as business notes, to be paid when due.

This regulation has been made in consequence of a late law of New York authorizing incorporated banks to receive seven per cent. interest for all notes discounted for a longer period than sixty days.

The Indians in New-York, having had a very short crop of corn last year, are said to be suffering much for the want of provisions. The Indians of the six nations now in that state are given as follows: but we are inclined to suppose that their numbers are over-rated:

Senecas, 2000; Cayugas, 100; Onondagos, 700; Tuscaroras, 316; the Stockbridge tribe, 4000.

The Hessian fly.—The crop of wheat last year, notwithstanding all that was said about it in the newspapers, was a very large one, and the quality excellent. The corn crop was short, and hence wheat has maintained its present enormous price.

There are so many people interested in the buying and selling bread-stuffs in the United States, for home use and foreign demand, that we always suspect any thing we see in the papers having a tendency to raise or depress the price of them, and at first were inclined to believe that the reported ravages of the Hessian fly were not nearly as extensive as some had reported them—but that scepticism, we are sorry to say, is much lessened by the united accounts already received from our own neighborhood, from the Eastern shore of Maryland, several parts of Virginia, and from York, &c. Penn. To destroy, or defeat, this terrible insect, is a thing worthy of the most profound philosophy. Late accounts, however, from the neighborhood of York, assure us that some late rains have entirely changed the appearance of the wheat, and that there is every prospect of a luxuriant crop. And we have also the welcome intelligence of a prospect of large crops in other quarters.

It is unpleasant to add to the foregoing, that the "*cut-worm*" has made much destruction among the young corn. The coolness of the season is thought favorable to this enemy. But, it is said, that by making a few holes with a sharp stick near the hills, they may be destroyed. They fall in and cannot get out. Some holes, it is stated, have been found half-filled with them in a single night.

The Floridas.—There was a report at Paris that the United States had purchased the Floridas of Spain.

Bank of the United States.—The scrip or stock of this bank, for 65 dollars paid, has been selling at $100 a share.

China—A London paper is alarmed because there were no less than forty-two ships, chiefly Americans and Swedes, lading at Canton with teas, for *Europe* —intimating that their cargoes are designed to be smuggled into England. Certainly, we have as good a *right* to smuggle as they have, though, like them, we do not sanction it with *official* documents.

Marshal Lallemand.

The following is copied from the Biographical Dictionary—and is interesting from the circumstance that gen. L. has lately reached the United States.

Baron Lallemand, field marshal, commandant of the legion of honor, knight of St. Louis, &c.

In the campaign of 1805, whilst colonel of the 27th regiment of dragoons, he signalized himself at the head of his regiment and was highly spoken of upon several occasions. He distinguished himself also in the campaign of 1806 and 1807 in Prussia and Poland, and was made an officer of the legion of honor. He passed afterwards into Spain, when, he received, the 6th of August, 1811, the dignity of brigade-general, which he deserved by a succession of the most important services. On the 11th of June, 1812, he opposed a column of English cavalry near Valencia, and on this occasion was again honorably mentioned. Returning into France at the time of the restoration he obtained from the king the cross of St. Louis, and the command of the department of Aisne. By means of this command, in March, 1815, he endeavored assisted by his brother general of artillery of the ex-guard, to take possession of the arsenal of Fere, and to make it a depot for the usurper; but this attempt was frustrated, and the two brothers obliged to fly from the pursuits directed against them. The prompt arrival of Bonaparte permitted them to re-appear, and they both served him with the most unremitted zeal; he rewarded them for it, by giving one the office of lieutenant-general and the title of member of the house of peers, and to the other, the command of the foot artillery of his army. It must be acknowledged that at Waterloo they both gave proofs of the greatest courage. They afterward followed the fortunes of their master, and went with him to England. They are both comprised in the decree of the king of the 24th July, which orders them to be brought to trial before a council of war.

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Hæc olim meminisse juvabit.—VIRGIL.

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A Naval Establishment.

If we know the present sentiments of the people of the United States, they are decidedly in favor of a *respectable* naval establishment.* Our gallant little navy in the late war "hewed its way to fame," and immensely contributed to the *national strength*, by the splendor of its deeds, and vexed and injured the enemy in his tenderest point. Yet, with the exception of the fleets on the lakes, it could not assume the character of a protector of the coast, on account of its weakness; and, probably, in *this* respect, did as much harm as good. If, therefore, we are to have a naval force beyond a few frigates and smaller vessels, (rather calculated to annoy the commerce of an enemy than to defend ourselves,) it seems agreed that it should be of sufficient power to guard us effectually; which, it is presumed, may be accomplished by twenty ships of the line and the requisite number of frigates, on a *permanent* establishment. Vessels of the minor classes, except a few to act as tenders, carry despatches, &c. need not be built and kept up in time of peace; for in a few weeks after a declaration of war we can, at any time, have as many of them as we please, and a great expence will be saved.

With a fleet of twenty heavy ships devoted to defend the coast, while the frigates were scouring the ocean and our private armed vessels should be vexing every sea under reasonable prospects of getting their prizes safely into port, no nation would rashly quarrel with us. England, the great leviathan of the deep, with all her mighty means and resources, could not send across the Atlantic and maintain near our shores, a power competent to meet it; and her *Nelsons* and *Howes* and *St. Vincents* would blast their fame if they ever came into contact with it. Armies would no longer be transported at pleasure through the American seas, alarming and harrassing the whole maritime frontier, and landing and retiring whenever they thought proper; nor would the war-whoop resound through the wilderness—for the supplies of men and the munitions of war to the colonies would be rendered so difficult and uncertain, that, in general, if they did not fall into our hands, they would at least be kept from acting offensively against us. With an *American* fleet of twenty sail of the line, collected at a point and prepared to scour the whole sea-board, how should we laugh at a *Cochrane* threatening, by order of his government, "*to destroy all places assailable*" —nor would infamous *Cockburns* amuse themselves by conflagrating defenceless villages, after meanly robbing the people that inhabited them. If we had had such a force as this in 1812, there would have been but little hard [land] fighting in the war, and nine tenths of the militia services rendered therein could have been dispensed with. Who shall count the value of the lives lost in those services!—the number, alas! is fearful, and among them were many of our best and most useful citizens. Some died in battle and there is a consolation in the belief that they did not die in vain—but what multitudes perished by disease and the hardships incident to the life of an *inexperienced* soldier? I have been told that, in the early part of the war, while *Pike's* regiment was healthy and had every thing in abundance, that other regiments, with the same supplies and conveniences, were perishing by scores and almost in a state of starvation. There is more mystery in learning how to live in a camp, than to fight an enemy; and among our soldiers [regulars and militia] during the late war, it is probable that perished in their quarters for one killed in the field. The militia were always in a state of rawness; often called out on an emergency and, ever hurried to the places whereat they were to be stationed, were prevented from obtaining many of their proper conveniences and necessaries, on the whole of which they would have been hardly put to it to live; and, in consequence, an extraordinary number of them miserably, and uselessly, perished: at times they were suddenly drawn from the mountain's top to the low grounds of the coast, where they died by hundreds. How great then would have been the saving of the invaluable lives of freemen, chiefly in the bloom of youth, by such a fleet as is spoken of!—and, passing from that to what we can better comprehend, how great would have been the saving to the country, in regard to its wealth, if such large bodies of men, instead of burthening the republic, had been kept quietly at home to enjoy the repose of their families and pursue their ordinary businesses! After thinking considerably on the subject, I incline to the belief, that had this been the case, it would have saved to the government *fifty*, and to the people, as private individuals, not less than *one hundred millions of dollars*, including their losses of time and extraordinary disbursements, sunk forever. It appears then that a navy, competent to guard our coast and check the operations of an enemy in the American seas, would be the cheapest possible defence of the nation. But beyond this extent, as to *heavy* vessels, it ought never to be permitted to go—and we are glad to see it approaching that extent with desirable rapidity. We have three 74's (besides the ships on lake *Ontario*) one other is building, and preparations are making to lay the keels of two more. The navy commissioners have issued proposals for the *machinery* for three steam frigates, and it is understood that several frigates of the largest class are about to be contracted for.

Some have supposed that we have arrived nearly at perfection in the act of building and managing ships, in the United States. The progress towards it, in the last thirty years, has been so great as to encourage the idea that we have reached the *ne plus ultra* of any attempt to unite celerity and force with convenience and safety. There is nothing to be compared with our ships and seamen but the copies of them; and it was truly a subject of just pride that England, with her immense commerce and mighty military marine, *condescended* to take so many lessons from us. When the late contest broke out, she, with amazement, discovered that among her "thousand ships of war" she had nothing fit to

*I am clearly of opinion, if we have any naval force beyond a few frigates and lighter vessels, that it ought to be strong enough to *defend itself and us*—to relieve the sea-coast of an enemy rather than invite him to it.

controul, on equal terms, the operations of our "half a dozen fir built frigates," as she had sneeringly called our little navy, and could do nothing with them except literally to block them up in ports and harbors, from which they would occasionally escape notwithstanding, and, having sea-room, go where they pleased: And then she went to work to build or fit out some thirty or forty ships expressly to manage the "half a dozen." But still she failed—her lesser vessels of war were always captured when met with, her commerce was assailed in every part of the world, and she was compelled to seek protection in a vast superiority of force, the "*ultima ratio*" against superior skill and courage. The term "cruising frigates" was expunged from her admiralty books—frigates were convoyed by ships of the line, and fleets of merchantmen were surrounded by vessels of war. The Independence and Washington (74's) have been fully tried, and, notwithstanding all the croakings about them, are highly approved—their general model and manner will probably be observed as to ships hereafter to be built; but from the science of our naval officers, so careful to observe and so competent to understand all that belongs to their lofty profession, no doubt some improvements may be made. The ship building at Washington, under the zealous and immediate inspection of the veteran *Rodgers*, is spoken of as approaching the point whereat it is expected we shall have to stop. Our ships of the line have all the ease and swiftness of the best frigates with the power and strength that belongs to their class; so that, barring accidents, they can pursue or escape as occasion requires, with equal success.

The preceding remarks originated in an examination of our "pigeon hole" of scraps, where we found the following items:

"The United States ship Prometheus went from Boston to Cronstadt and returned, in *seventy-six* days. She was absent only 101 days—25 of which she lay in Russia."

"The United States brig Boxer, capt. Porter, was off Turk's-Island on the 4th instant, all well, having passed within 200 miles of Bermuda, and performed a route of 1300 miles in seven days from the time she left the anchorage ground at Staten-Island."

"A ship called the Beverly arrived at Boston some months ago from Canton. She left the former place in July, 1815; stopped three and an half months in Valparaiso; visited all the Sandwich Islands in the Pacific ocean; loaded in Canton; came in the eastern passage, through Dampiera Straits; stopped nine days at the Cape of Good Hope; and *averaged for the whole time absent 5 knots and* 1-8th; and landed 755 tons of goods, consisting of 12,500 packages, not one in the least damaged.

And what is most remarkable, during her voyage round the world, she did not lose a spar of the smallest size, nor had the most trifling accident to happen; and the very sails which were bent before her sailing were constantly worn during the voyage."

"The schooner Gazette sailed from New-York on the 10th of February last and arrived at St. Bartholomews on the 21st of the same month; next day touched at St. Thomas, where she remained 24 hours; then proceeded to St. Jago de Cuba, where she arrived on the 28th; remained there 16 days, and sailed for New-York on the 16th instant, and was only 6 days from Crooked Island to Sandy Hook—having performed this circuitous voyage in 45 days. Besides, it is ascertained that the Gazette, while absent, has been in port and detained by privateers 19 days and becalmed 7 days. The result then is, that she has sailed 4000 miles in 19 days, which is an average of more than 200 miles a day."

Other cases of equal speed might be added, but these are sufficient to shew the perfection of building and managing vessels to which we have arrived. Let this perfection be directed to the *national* service, and no foreign army will ever again pollute the shores of the United States.

The cost of supporting a naval force of 20 ships of the line, in *actual* service is thus estimated:*

For one ship of the line.

92 officers and petty officers 280 able seamen, 233 ordinary seamen and boys	pay p ann.	92,700
Pay and clothing of marines . . .		8,175
Provisions		35,972
Medicines and hospital stores . .		5,000
Repairs and contingencies . . .		40,000
		202,110

20 ships at 202,110 each per ann. is $4,042,200

The amount is much less than was the cost of drafting the militia, and their individual sacrifices and losses, in a single state, in one year, during the war. 10,000 American seamen afloat, in ships fitted to protect the coast, would do more for the defence of the country than 50,000 militia, and at less than half the cost, man for man—the losses of individuals drawn from their business being superadded to their pay and subsistence.

There is a danger in vesting so great a power, as the establishment of such a navy would create, in the hands of the executive. But perhaps, this is an evil to which all governments are liable. Happily, *we* can correct by the the *ballot box*.

The Southern Indians.

We have always considered the conduct of the British regarding the *Southern Indians*, as peculiarly cruel and unjust to them and to us—as a wanton waste of human happiness and human life. From the foundation of our government until the massacre at Fort *Mims* in 1813, the best interests of these tribes had been our particular care: men of high and honorable minds had been stationed amongst them to assist them with counsel, and protect their just rights from every encroachment. A *spirit of peace* was zealously cultivated, and much money expended by us to instruct them in agriculture and the arts needful to their prosperity. Instruments were furnished and schools established; and already they had many pretty well-managed farms—the men driving the plough and attending their cattle, and the women were spinning and weaving, &c. The benevolent *Hawkins* was their common father; his whole soul appeared to be embarked in the project of philanthropy, and every administration seconded his beneficent views. The time seemed to have nearly arrived when they were to have reaped the fruits of an honest care of them—but the spoiler came; the spirit that had destroyed millions on millions of men in the east, entered the yet peaceable plains of the west, and the restless disposition of the indian was excited to raise the tomahawk against his benefactor! The plough was laid aside; the quiet of the forest was disturbed by the war

* See report of the secretary of the navy 1811—Weekly Register, vol. II. page 137.

whoop of the savage, allied to *Englishmen*—defenceless settlements were laid waste, and their innocent people destroyed with a degree of ferocity hardly to be paralleled. Hundreds of those who attacked Fort *Mims*, and massacred the garrison, with all the women and children who sought refuge there (some 15 or 20 excepted, who effected their escape while the savages were busy in slaughtering and burning the rest to death) spoke the English language, and had been in constant intercourse with the whites. What was the consequence? The besom of destruction passed over them, and thousands of them were swept from the face of the earth by the war that gen. *Jackson* and others carried through all parts of their country. Prostrate, they sued for peace—and their life, justly forfeited by crime, was granted to them. They had nothing to expect but extermination—yet they were spared. Still Great Britain seemed unsatisfied—blood enough had not been shed; and, though she made peace with us, she furnished the savages with the means of continuing war, and sowed the seeds of new contentions. Depots of arms and ammunition were made; and a very strong fort in the *Spanish* territory, well furnished with cannon and every thing needful to its defence, was given to them as a rallying point and place of refuge. The fort at Appalachicola was blown up by one of our gun boats, and its deluded tenants miserably perished. We then hoped the British had left the indians to themselves, and that a remnant might be saved. But the work goes on—the desire to obtain a pack of peltry at any cost of human life, or maintain an ascendancy in these tribes to injure the people of the United States, continues. Several successive Englishmen, under Spanish license or sufferance, with an official or sort of official character, have been with them—exciting hopes that they [the agents] know *cannot* be realized. Where is this business to stop? *It must stop.* Any British agent found among these Indians, within our territory, exciting them to murder, ought to be seized, and tried, and punished, with less pity than is due to a sheep-killing dog—and, if Spain lends her territory to such men to organize hostility in the tribes, Spain must be dispossessed of it. The law of self-preservation requires it. The women and children of our frontier shall not hold themselves dependent on the *mercy* of *British indian agents* for their lives.

We have said that the conduct of the British in regard to the *Southern* indians was peculiarly cruel and unjust. Their conduct was cruel and unjust to all the tribes, in wantonly leading them to war; but they whose consciences may permit them to justify the murders and burnings at the River *Raisin*, &c. will feel much at a loss to palliate the proceedings of the *enemy* in respect to the Creeks. These were led to battle with a moral certainty that they would be beaten. It was true, they might massacre a few harmless individual Americans, but no one could have been fool enough to suppose that they had power to affect the general operations of the war—and their engagement in it was a wanton waste of human life, and a marring of the most benevolent schemes that had been adopted by us to ameliorate their condition.

The Lower Creeks have lately manifested a very unquiet disposition. They have already forgotten that we refused to exterminate them, as we might, when they exterminated our people, as they could. They have again listened to the seducer, and are acting in a way that will go far to reconcile their best friends to their extermination, which, I fervently say, may heaven forbid!——Such have been their proceedings that, we are told, gen. *Gaines* expects shortly to be compelled to invade their country and "effectually subdue them"—for which purpose it is thought that a few of the Georgia militia will be called out.

The following letter has been published at *Milledgeville;* and is, upon the whole, about as impudent a thing as we ever saw. If the agent spoken of is ever caught within our territory, let him be punished—if within that of Spain he meditates murder and excites war, a *neutral* country ought not to protect him.* *The period of submission has past.* The republic is no longer in leading strings. England will never openly sanction such proceedings, if we openly punish them. British "humanity and philanthropy" towards the indians!!——Who placed the knife in their hands—who paid bounties for the scalps of babes—who permitted the burning of the wounded? My soul freezes with horror when I look over the pages of the REGISTER and view the things that have past. But to the letter—if the "agent" arrives and accomplishes the object hinted at—the dissatisfied Creeks will be extinguished. What need of this? There is room enough for them and for us. Let them live and be happy.

A. Arbuthnot to the commanding officer at Fort Gaine
Okolokne River, 3d March, 1817.

"The head chiefs request I will enquire of you, why American settlers are descending the Chatahouchie, driving the poor Indian from his habitation, and taking possession of his home and cultivated fields

"Without authority, I can claim nothing of you—but a humane and philanthropic principle guiding me, I hope the same will influence you—and if such is really the case, and that the line marked out by the treaty of peace between Great Britain and the United States, respecting the Indian nations, has been infringed by any of the citizens of the latter, you will represent to them their improper conduct, and prevent its continuance.

"I have in my possession a letter received from the governor of New-Providence, addressed to him by H. B. M. chief secretary of state, informing him of *orders* given to the British ambassador at Washington, *to watch over the interests of the Indian nations*, and see their rights are faithfully attended to and protected agreeably to the treaty of peace made between the British and the Americans.

"I am in hopes that, ere this, there is arrived at New Providence a person from Great Britain with *authority* to act as agent for the Indian nations—and if so it will devolve upon him to see, that the boundary lines, as marked out by the treaty, *are not infringed.*"

Public Economy.

A very respectable society has been organized at Philadelphia, under the name of "*The Pennsylvania Society for the promotion of Public Economy.*" Its objects are stated in the following preamble to their articles of association—

* The Floridas were not *neutral* during the war—all the excesses of the Creeks were put in motion at Pensacola, &c. and the *British* transported arms, &c. through the country unmolested. Every principle of natural and civil law would have justified us in seizing upon these colonies, and it was a grand mistake that we did not do it. It would have added nothing to the cost of the contest, and might have led to a speedy settlement of our differences with Spain.

"The prosperity and happiness of a nation depend upon the industry, the economy, and the morals of its people—to promote, to encourage, and to protect these three great essentials of national wealth and character, is therefore of the first importance to the statesman, and the philanthropist. To multiply the productive powers of labor by ascertaining and pointing out its most profitable direction, is to afford additional leisure for the cultivation of the mind—to inculcate a prudent and judicious expenditure of money by instructing the great mass of the community in the modes of economizing in their fuel and diet will encourage temperance and accumulate the productive capital of the country—whilst united with these to cherish a regard for moral and religious obligation by the education of the ignorant and the poor, is to elevate the human character, to strike at the root of poverty and vice, and to render the inhabitants of the land contented, virtuous and happy.

"With the view of assisting to promote the objects here declared by investigations into our present system of public economy, by exposing its defects, and by recommending to the public a radical reform, where one is desirable

"We the subscribers, in accordance with the recommendation of a town meeting of the citizens of Philadelphia and the adjoining districts, held on the 5th day of May, 1817, do agree to form ourselves into a society, and for the better government of the same do adopt the following constitution."

☞The by-laws provide for the appointment of several standing committees: among them are—the *library* committee, to purchase works on the various branches of public economy, &c. a committee on the *poor laws*, to examine the system, collect facts, and suggest improvements; a committee on *public prisons*, to report such improvements as may alleviate improper suffering and diminish the public expences; a committee on *domestic economy*, to suggest improvements in the saving of diet, fuel, clothing, &c. a committee for the *suppression of vice and immorality*, to examine the existing laws and suggest amendments calculated to suppress tippling houses and useless taverns, &c. a committee on *public schools*, to see if the existing laws for establishing such schools are duly administered, report improvements, &c.

The Cut Worm.

Brandywine, 17th 5mo. 1817

Esteemed Friend—A very simple, but important discovery has been lately made, in retarding the progress of the cut worm, or grub, which is if possible more destructive to the Indian crop this season than that of the last year.

By making sharp pointed a piece of wood, from one to two inches in diameter, any length most convenient to handle—and by driving it in the hill of corn near to the plants as they appear above the ground, leaving a hole perpendicular six or eight inches, opened into the ground, (or less if kept open.) The worm uniformly takes shelter from the rays of the sun after feeding at night, by burying itself very shallow under the surface of the loose earth, near its food, in order to resume its feeding the ensuing night, and by this hole being made immediately in the vicinity of its operations, it serves as a place of retreat, from which it is never able to ascend, not being calculated for climbing so perpendicular a surface; and more especially as the crumbling earth falls in with the insect, until the attempt is given over, and they perish in the bottom of the holes.

Thousands of them are now perishing in my neighbourhood, by this mode of procedure; if one hole is not sufficient, more may be made at discretion, with ease and despatch. Very respectfully, from

CALEB KIRK.

Dr. James Mease, vice president
of the agricultural society, Philadelphia.

☞ A writer in the *Federal Republican* recommends the scattering of a tea spoonful of live ashes, or two tea spoon's-full of dead or leeched ashes, on every hill of corn, being careful that none of it falls on the blades of the stalk, as it would injure them almost as much as the worm. He says this process is not tedious—one hand may carefully ash three acres in a day, and that it will effectually destroy or drive away the *cut worm*.

Mr. Phillips' Speech.

From the Glasgow Herald of April 11.

BREACH OF PROMISE OF MARRIAGE.

BLAKE *vs.* WILKINS.

This cause which had excited universal interest, came on to be tried on Tuesday week, in Galway, before the hon. Baron Smith, and a special jury. Every avenue to the court house was crowded at an early hour, and long before the trial it was impossible to procure a seat. The plaintiff is a lieutenant in the navy, not above thirty years of age—the defendant is at least sixty-five, and is the widow of the staff physician in whose arms general Wolfe died at the siege of Quebec. The plaintiff's case having been gone through, Mr. Phillips addressed the jury on the part of Mrs. Wilkins, in pretty nearly the following terms:

May it please your lordship—The plaintiff's counsel tells me, gentlemen, most unexpectedly, that they have closed his case, and it becomes my duty to state to you that of the defendant. The nature of this action you have already heard. It is one which, in my mind, ought to be very seldom brought, and be very sparingly encouraged. It is founded on circumstances of the most extreme delicacy, and it is intended to visit with penal consequences the non-observance of an engagement which is of the most paramount importance to society, and which of all others, perhaps, ought to be the most unbiassed—an engagement which, if it be voluntary, judicious, and disinterested, generally produces the happiest effects—but which, if it be either unsuitable or compulsory, engenders not only individual misery, but consequences universally pernicious. There are few contracts between human beings which should be more deliberate than that of marriage. I admit it should be very cautiously promised; but, even when promised, I am far from conceding that it should be invariably performed; a thousand circumstances may form an impediment; change of fortune may render it imprudent; change of affection may render it culpable. The very party to whom the law gives the privilege of complaint, has perhaps the most reason to be grateful—grateful that its happiness has not been surrendered to caprice—grateful that religion has not constrained an unwilling acquiescence, or made an unavoidable desertion doubly criminal—grateful that an offspring has not been sacrificed to an indelicate and ungenerous enforcement—grateful that an innocent secret disinclination did not too late evince itself in an irresistable and irremediable disgust. You will agree with me, however, that if there exists any excuse for such an action, it is on

the side of the female, because every female object being more exclusively domestic, such a disappointment is more severe in its visitation—because the very circumstance concentrating their feelings renders them naturally more sensitive of a wound—because their best treasure, their reputation, may have suffered from the intercourse—because their chances of reparation are less, and their habitual seclusion makes them feel it more—because there is something in the desertion of their helplessness which almost merges the illegality in the unmanliness of the abandonment. However, if a man seeks to enforce this engagement, every one feels that indelicacy attached to the requisition—I do not enquire into the compatible justness of the reasoning—but does not every one feel that there appears some meanness in forcing a female into an alliance? Is it not almost saying, "I will expose to public shame, the credulity on which I practised, or you must pay to me in monies numbered, the profits of the heartless speculation—I have gamboled with your affections, I have secured your bond, I will extort the penalty either from your purse or your reputation!" I put a case to you, where the circumstances are reciprocal—where age, fortune, situation are the same—where there is no disparity of years to make the supposition ludicrous—where there is no disparity of fortune to render it suspicious. Let us see whether the present action can be so palliated, or whether it does not exhibit a picture of fraud, and avarice, and meanness, and hypocrisy so laughable, that it is almost impossible to criticise it—and yet so debasing that human pride almost forbids its ridicule.

It has been left for me to defend my unfortunate old client from the double battery of love and law, which at the age of sixty-five has so unexpectedly opened on her! Oh gentlemen! how vain-glorious is the boast of beauty! How misapprehended have been the charms of youth if years and wrinkles can thus despoil their conquests, and depopulate the navy of its prowess, beguile the bar of its eloquence! How mistaken were all the amatory poets from Anacreon downwards, who preferred the bloom of the rose, and the thrill of the nightingale, to the saffron hide and dulcet treble of 65. Even our sweet bard has had the folly to declare, that

> "He once had heard tell of an amorous youth,
> Who was caught in his grandmother's bed;
> But owns he had ne'er such a liquorish tooth
> As to wish to be there in his stead."

Royal wisdom has said that we live in a "new era." *The reign of old women has commenced*, and if Johanna Southcote converts England to her creed, why should not Ireland, less pious perhaps, but at least equally passionate, kneel before the shrine of the irresistable widow Wilkins? It appears, gentlemen, to have been her happy fate to have subdued particularly the death-dealing professions. Indeed, in the epistle of the Heathen mythology, Mars and Venus were considered as inseparable. I know not whether any of you have ever seen a very beautiful print, representing the fatal glory of Quebec, and the last moments of its immortal conqueror—if so, you must have observed the figure of the staff physician, in whose arms the hero is expiring: that identical personage, my lords, was the happy swain, who forty or fifty years ago, received the reward of his valor and skill *in the virgin hand of my venerable client!*—The doctor lived somewhat more than a century, during a great part of which, Mrs. Wilkins was his companion—Alas! gentlemen, long as he lived, he lived not long enough to behold her beauty—

> "That beauty, like the aloe flower,
> But bloom'd and blossom'd at four-score."

He was, however, so far fascinated, as to bequeath to her the legacies of his parents, when he found he was pre-doomed to follow them. To this circumstance, very far be it from me to hint, that Mrs. Wilkins is indebted for any of her attractions. Rich, however, she undoubtedly was, and rich she still undoubtedly would have continued, had it not been for her intercourse with the family of the plaintiff. I do not impute it as a crime to them, that they happened to be necessitous, but I do impute it as both criminal and ungrateful that after having lived on the generosity of their friend—after having literally exhausted her most prodigal liberality, they should drag her infirmities before the public gaze, vainly supposing that they could hide their own contemptible avarice in the more prominent exposure of her melancholy dotage. The father of the plaintiff, it cannot be unknown to you, was for many years in the most indigent situation. Perhaps it is not a matter of concealment either, that he found in Mrs. Wilkins a generous benefactress. She assisted and supported him, until at last his increasing necessities induced him to take refuge in an act of insolvency. During their intimacy, frequent allusion was made to a son whom Mrs. Wilkins had never seen since he was a child, and who had risen to a lieutenancy in the navy, under the patronage of their relation, sir Benj. Bloomfield. In a parent's panegyric, the gallant lieutenant was, of course, all that even hope could picture. Young, gay, heroic, and disinterested—the pride of the navy, the prop of the country—independent as the gale that wafted, and bounteous as the wave that bore him—I am afraid that it is rather an anti-climax to tell you after this, that he is the present plaintiff. The eloquence of Mrs. Blake was not exclusively confined to her encomiums on the lieutenant. She moved at times into an episode on the matrimonial felicities, painted the joy of passion and delights of love, and obscurely hinted that hymen with his torch, had an exact personification in her son Peter bearing a match-light in his majesty's ship the Hydra.—While these contrivances were practising on Mrs. Wilkins, a by-plot was got up on board the Hydra, and Mr. Blake returned to his mourning country, influenced, as he says, by his partiality for the defendant, but in reality compelled by ill health and disappointments, added, perhaps, to his mother's very absurd and avaricious speculations. What a loss the navy had of him, and what a loss he had of the navy! Alas! gentlemen, he could not resist his affection for a female he never saw. Almighty love eclipsed the glories of ambition—Trafalgar and St. Vincent flitted from his memory—he gave up all for woman, as Mark Anthony did before him: and, like the Cupid in Hudibras, he

> "——————took his stand
> Upon a widow's jointure land—
> His tender sigh and trickling tear
> Long'd for five hundred pounds a year,
> And languishing desires were fond
> Of statute, mortgage, bill and bond."

—Oh! gentlemen, only imagine him on the lakes of North America—alike to him the varieties of season, or the vicissitudes of warfare. One sovereign image monopolizes his sensibilities. Does the storm rage—the widow Wilkins outsighs the whirlwind. Is the ocean calm—its mirror shews him the lovely widow Wilkins. Is the battle won—he thins his laurel that the widow Wilkins may interweave her myrtle. Does the broadside thunder—he invokes the widow Wilkins!

> "A sweet little cherub, she sits up aloft,
> To watch for the life of poor Peter."

—Alas! How much is he to be pitied! How amply he should be recompensed! Who but must

mourn his sublime, disinterested, sweet-souled patriotism! Who but must sympathise with his pure, ardent, generous affection! Affection all impatient for an interview! Affection too warm to wait even for an introduction! Indeed, his Amanda herself seemed to think that his love was most desirable at a distance, for, at the very first visit after his return he was refused admittance. His captivating charmer was then sick and nurse-tended at her brother's house, after a winter's confinement, reflecting, most likely, rather on her funeral than her wedding. Mrs. Blake's avarice instantly took the alarm and she wrote the letter which I shall now proceed to read to you.

M. Vandeleur—My lord, unwilling as I am to interrupt a statement which seems to create so universal a sensation, still I hope your lordship will restrain Mr. Phillips from reading a letter which cannot hereafter be read in evidence.

Mr. O'Connel arose for the purpose of supporting the propriety of the course pursued by defendant's counsel, when

Mr. Phillips resumed—"My lord, although it is utterly impossible for the learned gentleman to say, in what manner hereafter this letter might be made evidence, still my case is too strong to require any cavilling upon such trifles. I am content to save the public time and wave the perusal of the letter.—However, they have now given its suppression an importance, which perhaps its production could not have procured for it. You see, gentlemen, what a case they have, when they insist on the withholding of the documents which origined with themselves. I accede to their very polite interference. I grant them, since they entreat it, the mercy of my silence. Certain it is, however, that a letter was received from Mrs. Blake, and that almost immediately after its receipt, Miss Blake intruded herself at Brownville, where Mrs. Wilkins was; remained two days; lamented bitterly her not having appeared to the lieutenant when he called to visit her; said that her poor mother had set her heart on an alliance; that she was sure, *dear woman*, a disappointment would be the death of her, in short, that there was no alternative but the tomb or the altar! To all this, Mrs. Wilkins only replied, how totally ignorant the parties, most interested, were of each other: and that were she even inclined to connect herself with a stranger, (poor old soul!) the debts in which her generosity to the family had already involved her formed, at least for the present, an insurmountable impediment. This was not sufficient. In less than a week the indefatigable Miss Blake returned to the charge, actually armed with an old family bond to pay off the incumbrance, and a renewed representation of the mother's anxiety, and the brother's desperation.—You will not fail to observe, gentlemen, that while the female conspirators were thus at work, the lover himself had never even seen the object of his idolatry. Like the maniac in the farce, he fell in love with the picture of his grandmother. Like a prince of the blood, he was willing to woo and be wedded *by proxy*. For the gratification of his avarice, he was contented to embrace age, disease, infirmity and widowhood: to bind his youthful passions to the carcase for which the grave was opening—to feed by anticipation on the uncold corpse, and cheat the worm of its reversionary corruption. Educated in a profession proverbially generous, he offered to barter every joy for money! Born in a country ardent to a fault, he advertised his happiness to the highest bidder! and he now solicits an honorable jury to become the panders to this heartless cupidity! Thus beset, harassed, conspired against, their miserable victim entered into the contract you have heard—a contract conceived in meanness, extorted by fraud, and sought to be enforced by the most profligate conspiracy. Trace it through every stage of its progress, and its origin, its means, its effects; from the parent contriving it through the sacrifice of her son, and forwarding it through the delicate instrumentality of her daughter, down to the son himself unblushingly acceding to the attrocious combination, by which age was to be betrayed and youth degraded, and the odious union of decrepid lust and precocious avarice, blasphemously consecrated by the principles of religion! Is this the example which as parents you would sanction? Is this the principle you would adopt yourselves?—Have you never worshipped the bliss by which it has been hallowed when its torch, kindled at affection's altar gives the noon of life its warmth and its lustre, and blesses its evening with a more chastened, but not less lovely illumination? Are you prepared to say, that this rite of heaven, revered by each country, cherished by each sex, the solemnity of every church, and the sacrament of one, shall be profaned into the ceremonial of an obscene and soul degrading avarice?

No sooner was this contract, the device of their covetousness, and the evidence of their shame, swindled from the wretched object of this conspiracy, than its motive became apparent; they avowed themselves the keepers of their melancholy victim. They watched her movements; they dictated her actions; they forbade all intercourse with her own brother; they duped her into accepting bills, and let her be arrested for the amount. They exercised the most cruel and capricious tyranny upon her, now menacing her with the publication of her follies and now with the still more horrible enforcement of a contract* that thus betrayed its anticipated inflictions. Can you imagine a more disgusting exhibition of how weak and how worthless human nature may be, than this scene exposes? On the one hand, a combination of sex and age, disregarding the most sacred obligations, and trampling on the most tender ties, from a mean greediness of lucre, that neither honor or gratitude or nature could appease—"Lucribonus est odor exere qualibet;"† on the other hand, the poor shrivelled relic of what once was health and youth and animation, sought to be embraced in its infection, and caressed in its infirmity—crawled over and corrupted by the human reptile, before death had shovelled it to the less odious and more natural vermin of the grave. What an object for the speculation of avarice! What an angel for the idolatry of youth! Gentlemen, when this miserable dupe to her own doting vanity and the vice of others, saw how she was treated—when she found herself controled by the mother, beset by the daughter, beggared by the father, and held by the son as a kind of windfall, that, too rotten to keep its hold, had fallen at his feet to be squeezed and trampled; when she saw the intercourse of her relatives prohibited, the most trifling remembrances of her ancient friendship denied, the very exercise of her habitual charity denounced: when she saw that all she was worth was to be surrendered to a family confiscation, and that she was herself to be gibbetted in the chains of wedlock, an example to every su-

*She had signed a written contract to marry the plaintiff.

†Sweet is the odour of lucre from whatever source,

perannuated dotard upon whose plunder the ravens of the world might calculate, she came to the wisest determination of her life, and decided that her fortune should remain at her own disposal.—Acting upon this decision, she wrote to Mr. Blake, complaining of the cruelty with which she had been treated, desiring the restoration of the contract of which she had been duped, and declaring, as the only means of securing respect, her final determination as to the control over her property. To this letter, addressed to the son, a verbal answer (mark the conspiracy) was returned from the mother, withholding all consent, unless the property was settled on her family, but withholding the contract at the same time. The wretched old woman could not sustain this conflict. She was taken seriously ill, confined for many months in her brother's house, from whom she was so cruelly sought to be separated, until the debts in which she was involved, and a recommended change of scene, transferred her to Dublin—There she was received with the utmost kindness by her relative, Mr. Mac Namara, to whom she confided the delicacy and distress of her situation. That gentleman, acting at once as her agent and her friend, instantly had an interview with Mr. Blake. This was long before the commencement of any action.—A conversation took place between them on the subject, which must, in my mind, set the present action at rest altogether; because it must shew that the non-performance of the contract originated entirely with the plaintiff himself. Mr. Mac Namara enquired whether it was not true that Mr. Blake's own family declined any connexion, unless Mrs. Wilkins consented to settle on them the entire of her property? Mr. Blake replied it was—Mr. Mac Namara rejoined, that her contract did not bind her to any such extent. "No, replied Mr. Blake, I know it does not; however, tell Mrs. Wilkins, that I understand she has about £580 a year, and I will be content to settle the odd £80 on her by way of pocket money." Here, of course, the conversation ended, which Mr. Mac Namara detailed, as he was desired, to Mrs. W. who rejected it with the disdain, which I hope, it will excite in every honorable mind. A topic, however, arose during the interview, which unfolds the motives and illustrates the mind of Mr. Blake, more than any observation which I can make on it. As one of the inducements to the projected marriage, he has actually proposed the prospect of a £50 annuity, as an officer's widow's pension, to which she would be entitled in the event of his decease! I will not stoop to remark on the delicacy of this inducement—I will not advert to the glaring dotage on which he speculated, when the could seriously hold out to a woman of her years the prospect of such an improbable survivorship. But I do ask you, of what materials must the man be composed, who could debase the national liberality? What! was the recompence of that lofty heroism which was almost appropriated to the British navy, the monopoly of maritime renown—was that grateful offering which a weeping county pours into the lap of its patriot widow, and into the cradle of its warrior's orphan—was that generous consolation with which a nation's gratitude cheers the last moments of her dying hero, by the portraiture of his children sustained and ennobled by the legacy of his achievments, to be thus deliberately perverted into the bribe of base, reluctant, unnatural prostitution? Oh! I know of nothing to parallel the self abasement of such a deed, except the audacity that requires an honorable jury to abet it. The following letter from Mr. Anthony Martin, Mr. Blake attorney, unfolded the future plans of this unfeeling conspiracy. Perhaps the gentlemen would wish also to cushion this document! They do not—Then I shall read it.

The letter is addressed to Mrs. Wilkins.

"GALWAY, Jan. 9, 1817.

"*Madam*—I have been applied to, professionally, by lieut. Peter Blake, to take proceedings against you of rather an unpleasant nature; but from every letter of your's and other documents, together with the material and irreparable loss Mr. Blake has sustained in his professional prospects, by means of your proposals to him, makes it indispensably necessary for him to get remuneration from you. Under these circumstances I am obliged to say, that I have his directions to take immediate proceedings against you, unless he is in some measure compensated for your breach of contract and promise to him. I should feel happy that you would save me the necessity of acting professionally by settling the business, [you see, gentlemen, money, money, money, runs through the whole amour] and not suffer it to come to a public investigation, particularly as I conceive from the legal advice Mr. Blake has got, together with all I have seen, it will ultimately terminate most honorably to his advantage, and to your pecuniary loss.

"I have the honor to remain, madam, your very humble servant, ANTHONY MARTIN."

Indeed, I think Mr. Anthony Martin is mistaken. Indeed, I think no twelve men, upon their oaths, will say, (even admitting the truth of all he asserts) that it was honorable for a British officer to abandon the navy on such a speculation; to desert so noble a profession; to forfeit the ambition it ought to have associated; the rank to which it leads; the glory it may confer; for the purpose of extorting from an old woman he never saw, the purchase money of his degradation? But I rescue the plaintiff from this disgraceful imputation. I cannot believe that a member of a profession, not less remarkable for the valor than the generosity of its spirit; a profession as proverbial for its profusion in the harbor, as for the prodigality of its life-blood on the wave; a profession ever willing to fling money to the winds, and only anxious that they should waft through the world its immortal banner, crimsoned with the record of a thousand victories—No, no, gentlemen, notwithstanding the great authority of Mr. Anthony Martin, I cannot readily believe that any man could be found to make the high honor of this noble service, a base, mercenary, sullied pander to the prostitution of his youth! The fact is, that increasing ill health and the improbability of promotion, combined to induce his retirement on half-pay. You will find this confirmed by the date of his resignation, which was immediately after the battle of Waterloo, which settled (no matter how) the destinies of Europe. His constitution was declining, his advancement was annihilated, and as a forlorn hope, he bombarded the widow Wilkins!

> "War thoughts had left their places vacant,
> In their room came thronging soft and amorous desires;
> All telling him how fair "*young* Hero was."

He first, gentlemen, attacked her fortune, with herself, through the artillery of the church, and having failed in that, he now attacks her fortune, without herself, through the assistance of the law. However, if I am instructed rightly, he has nobody but himself to blame for his disappointment—Observe, I do not vouchsafe for the authenticity of this

fact; but I do certainly assure you, that Mrs. Wilkins was persuaded of it. You know the proverbial frailty of our nature. The gallant lieutenant was not free from it! Perhaps you imagine that some younger, or, according to his taste, some *older* fair one, weaned him from the widow. Indeed they did not. He had no heart to lose, and yet (can you solve the paradox?) his infirmity was love, as the poet says—

"——*still*——love.

No, it was not to Venus, it was to Bacchus he sacrificed. With an eastern idolatry, he commenced at day light, and so persevering was his piety till the shades of night, that when he was not on his knees—*he could scarcely be said to be on his legs!* When I came to this passage, I could not avoid involuntarily exclaiming, Oh, Peter, Peter, whether it be in liquor or in love—

"None but thyself can be thy parallel!"

I see by your smiling, gentlemen, that you correct my error. I perceive your *classic* memories recurring to, perhaps, the only prototype to be found in history. I beg his pardon, I should not have overlooked

"————————the immortal captain Wattle.
"Who was all for love—*and a little for the bottle.*"

Ardent as our fair ones are announced to be, they do not prefer a flame that is so exclusively spiritual. Widow Wilkins, no doubt, did not chose to be singular. In the words of the bards, and, my lord, I perceive you excuse my dwelling so much on the authority of the muses, because really on this occasion the minstrel seems to have combined the powers of poetry with the spirit of prophecy—in the very words of the bard—

"He asked her would she marry him—widow Wilkins answered, no,
"Then said he, I'll to the ocean rock, I'm ready for the slaughter,
"Oh! I'll shoot at my sad image, as its sighing in the water;
"Only think of widow Wilkins, saying—Go, Peter, go!"

But, gentlemen, let us try to be serious, and seriously give me leave to ask you, on what grounds does he solicit your verdict? Is it for the loss of his profession? Does he deserve compensation, if he abandoned it for such a purpose; if he deserted at once his duty and his country, to trepan the weakness of a wealthy dotard. But did he, (base as the pretence is) did he do so? Is there nothing to cast any suspicion on the pretext? Nothing in the aspect of public affairs? In the universal peace? In the uncertainty of being put into commission? In the downright impossibility of advancement? Nothing to make you suspect that he imputes as a connivance, what was the manifest result of an accidental contingency? Does he claim on the ground of *sacrificed affection?* Oh gentlemen, *only fancy what he has lost!* If it were but the *blessed raptures of the bridal night!* Do not suppose I am going to describe it; I shall leave it to the learned counsel he has selected to compose his epithalamium. I shall not exhibit the venerable *trembler*, at once a relic and a relict; with a grace for every year and a cupid in every wrinkle; affecting to shrink from the flame of his impatience, and fanning it with the ambrosial sigh of sixty five!!! I cannot pierce the fierce meredian transports of the honey moon, gradually melting into a more chastened and permanent affection; every *nine months* adding a link to the chain of their delicate embraces, until too soon death's broadside lays the lieutenant low, consoling, however, his patriarchal charmer (old enough at the time to be the last wife of Methuselah) with a fifty pound annuity, being the balance of his glory against his majesty's ship the Hydra!!

Give me leave to ask you, is this one of the cases, to meet which this very rare and delicate action is intended? Is this a case where a reciprocity of circumstances, of affections, or of years, throw even a shade of rationality over the contract?—Do not imagine I mean to insinuate, that under no circumstances ought such a proceeding to be adopted. Do not imagine, though I say this action belongs more naturally to a female, its adoption can never be one of the other sex. Without any great violence to my imagination, I can suppose a man in the very spring of life, when his sensibilities are most acute, and his passion most ardent, attaching himself to some object, young, lovely, talented and accomplished, concentrating, as he thought every charm of personal perfection, and in whom those charms were only heightened by the modesty that veiled them; perhaps his preference was encouraged; his affection returned, his very sighs echoed until he was conscious of his existence but by the soul-creating sympathy, until the world seemed but the residence of his love, and that love the principle that gave it animation—until before the smile of her affection, the whole spectral train of sorrow vanished, and this world of woe, with all its cares, and miseries, and crimes, brightened as by enchantment into an anticipated paradise! It might happen that this divine affection might be crushed, and that heavenly vision wither into air, at the hell engendered pestilence of parental avarice, leaving youth and health and worth and happiness, a sacrifice to its unnatural and mercenary artifices. Far am I from saying, that such a case would not call for expiation, particularly where the ruin had originated. Yet even there, perhaps, an honorable mind would rather despise the mean unmerited desertion. Oh, I am sure a sensitive mind would rather droop uncomplaining into the grave, than solicit the mockery of a worldly compensation! But in the case before you, is there the slightest ground for supposing any affection? Do you believe if any accident bereft the defendant of her fortune, that her prosecutor would be likely to retain his constancy? Do you believe that the marriage thus sought to be enforced, was likely to promote morality and virtue? Do you believe that those delicious fruits by which the struggles of social life are sweetened, and the anxieties of parental care are alleviated, were ever once anticipated? Do you think that such an union could exhibit those reciprocities of love and endearments by which this tender rite should be consecrated and recommended? Do you not rather believe that it originated in avarice—that it was promoted by conspiracy—and that it would perhaps have lingered through some months of crime, and then terminated in an heartless and disgusting abandonment?

Gentlemen, these are the questions which you will discuss in your jury room. I am not afraid of your decision. Remember, I ask you for no mitigation of damages. Nothing less than your verdict will satisfy me—by that verdict you will sustain the dignity of your sex—by that verdict you will uphold the honor of the national character—by that verdict you will assure, not only the immense multitude of both sexes that thus so unusually crowd around you, but the whole rising generation of your country, that marriage can never be attended with honor or blessed with happiness, if it has not its origin in mutual affection. I surrender with confidence my cause to your decision.

The damages were laid at 5000*l.* but the plaintiff's counsel were in the end contented to withdraw a juror, and thereby abandoning the cause, let him pay his own costs

George Canning.

This person is well known to the American people, and they will feel some interest in the following articles about him.

FROM THE LONDON MORNING CHRONICLE.

A regular contest has taken place within these few days between the *Times* and the *Courier*, upon Mr. Canning's appointment at Lisbon. We do not pretend to decide on the skill or talents of the combatants, but must observe, the *Times* has evidently the advantage of facts and dates, which of all aukward arguments, are the most aukward and perplexing to an adversary. The *Courier* is, therefore, gradually withdrawing from the defence, most probably in consequence of a hint from head quarters, that it may be as well to drop the subject.—It is clearly proved by documents on the table of the house that Mr. Canning's enormous salary commenced for a long period before he could by any possibility be called upon to act, and this at a period, when the office of our secretary of state was literally crammed with official details of the most severe and deplorable distress in many parts of the country. Mr. Canning told the electors at Liverpool, he had refused office twice in one year, evidently alluding to his objection to act with lord Castlereagh and his friends. He afterwards tells them that all motives of *personal feeling* are at an end, and therefore he accepts office. That is, he accepts a place *under* lord Castlereagh, and becomes a party in a job, to which we are at a loss for an epithet sufficiently expressive of the disgust and pity it has excited among all parties. Mr. Canning's retirement was certainly a bold finesse for attaining a loftier situation in the cabinet, but it appears Mr. Perceval and lord Liverpool did not appreciate his talents so highly; and therefore, perceiving he had outstood his market too long, he is glad at last, like a maid at 30, to surrender on any terms. He drops at once from his aspiring flight, and is now content, with many other courtiers, to perform the operation of climbing, in the attitude of crawling. He has fallen too from an eminence in public estimation, never to be regained; but we are not inclined to dwell longer on his disgrace, being unwilling to press upon the bruised reed—

> Who would not laugh, if such a man there be;
> Who would not weep, if Atticus were he?

FROM THE LONDON GLOBE.

LORD CASTLEREAGH AND MR. CANNING.

This amiable and accomplished nobleman, in surveying the fallen virtue of Mr. George Canning, must feel much about the same sensation as when the venerable priestess of some Paphian receptacle looks upon the innocent young woman whom her arts have betrayed; and we may conceive something of this kind of dialogue may pass between them in those hours when

> "Reflecting morn and cold indifference come."

Miss Canning—Oh! madam, to what have you reduced me? To what a situation am I now brought?

Mrs. Castlereagh—Child, child! Hold up your head, dry your eyes, and let me hear no more of such nonsense.

Miss Canning—Oh heavens! How much was I once esteemed by all good people till you found me out, and by your cursed wheedling and the *offer of money*, tempted me to forsake the paths of virtue!

Mrs. Castlereagh—Ridiculous! Are not you now in the way to preferment? And, as you are a girl of some parts, may you not, if you mind your hits make your fortune? Your virtue as you call it would never have brought you a penny; but your present situation may be a treasure to you.

Miss Canning—But degraded as I now am, who will regard a word that I say? And they will think the worse of me for being seen in your company.

Mrs. Castlereagh—Fine language, indeed, Miss. If you chose to part with your character for a sum of money, who have you to blame but yourself. It was my business to offer, and I beg you will give yourself no more unnecessary airs.

Miss Canning—And what!—What I am to do, madam!

Mrs. Castlereagh—Do, child! Why you are to be one of us, and act as we do. And if any body is impertinent enough to throw your character in your teeth—as you have a tolerable tongue in your head, give them their own, and sing—"You'd have done the same thing in the very same place."

Lord Castlereagh.

From a late London paper.

HONORS TO MR. WAITHMAN;—APOSTACY TO THE TRAITOR CASTLEREAGH, &c. &c.

An elegant service of plate, with a suitable inscription, was presented to Mr. Waithman on the 15th ult. by his London friends in testimony of their high sense of his merit in supporting constitutional reform. The presentation took place at the New London tavern, where a dinner was given on the occasion.

The following is the inscription on one of the pieces, presented by Mr. Fayal in the name of his fellow citizens;

To
ROBERT WAITHMAN Esq.
Whose exertions in the cause of constitutional reform,
Have been ardent and indefatigable;
Whose eminent talents and an energetic eloquence
In support of freedom and resistance to oppression,
Especially in persevering and successful efforts
Against that odious and degrading impost,
The income tax;
Whose public conduct for more than twenty years,
Unawed by power, uncorrupted by influence,
And unmoved by calumny,
Has exhibited a noble example
Of manly zeal and inflexible patriotism.
As a tribute of esteem and admiration,
THIS PLATE,
Was presented by his grateful fellow citizens
On the 15th day of April, 1817.

Messrs. Fayal, Waithman, Bennet and Brougham, made excellent harangues. We extract the following from those of Waithman and Brougham:

It was said that some wicked or foolish men had given a pretence to ministers [to stifle petitions.] But this was a pretence which might always be found. Was it to be expected that while great public interests were under discussion, every individual would conduct himself with perfect propriety, and were the people at large to be deprived of their liberties on account of the indiscretion of a few rash men? [applause] If that were necessary, instead of the panegyrics which were pronounced upon the British constitution, he should say it was the worst constitution on earth. It was a thing to be shut up in a glass case to be looked at, not to be used. On the contrary, he contended it was fit for all seasons, for the protection of the crown and the benefit of the people, in times of danger as well as of prosperity. The habeas corpus act had passed in Charles the second's reign—a time more fertile to plots than any we read of in history. It was not from plots but from petitions, that the suspension of that act was intended to guard the crown and the parliament. It reminded him of a couplet which Dryden had put into the mouth of Charles II.

> "From plots and treasons heaven preserve my ears,
> But save me most from my petitioners."

Like the late country girl in the farce, who when courted by a beau, exclaimed, "What shall I do with such a fine gentleman as a husbund, I must have another for working days:" the ministers seemed to think, that it was on Sundays or holidays only that our constitution could be of service, and on the least appearance of an emergency, they substituted a set of laws, for the time at least, totally subversive of our boasted system of government.

To show how ill it became some of our supporters of the encroachments on liberty to brand the friends to reform as enemies to the constitution, Mr. Waithman then read from Evans's valuable pamphlet, the declaration to the inhabitants of Down, signed by lord Castlereagh and another, then candidates for that county—

"We will rigidly attend our duty in parliament, and be governed by the instructions of our constituents; *we will in and out of the house, with all our abilities and influence, promote the success of a bill for amending the representation of the people:*

"A bill for preventing pensioners from sitting in parliament, or such placemen as cannot sit in the British house of commons;

" A bill for limiting the number of placemen and pensioners, and the amount of pensions;

" A bill for preventing revenue officers from voting at or intefering at elections;

" A bill for rendering the servants of the crown of Ireland responsible for the expenditure of the public money;

" A bill to protect the personal safety of the subject against arbitrary and excessive bail: and against the stretching the power of attachment beyond the limits of the constitution; and we will, as far as in us lies, prevent any renewal of the police act.

(Signed) "EDWARD WARD,
"ROBERT STEWART."

(Otherwise called lord Castlereagh.)

" In the *News Letter* of the same date is an advertisement, *to the electors of the county of Down*, in which the following expressions are used;

" *We are embarked in a much more interesting and glorious cause than our success as individuals*—we are called forth as INSTRUMENTS IN YOUR HANDS *to emancipate the country.*

(Signed) "EDWARD WARD,
"ROBERT STEWART."

Yet men who had gone thus far, who had talked of making themselves instruments in the hands of the people, now loaded with calumny those who viewed with indignation their infamous traffic and barter in seats in parliament, and their waste of the blood and treasure of the country. The spirit of liberty, he trusted, was not to be extinguished, and if men of rank and character would assume, as they seem now disposed to assume, the guidance of the people, they might rest in confidence as to their final success."

Foreign Articles.

ROYAL LONGEVITY. *From a Paris paper*—There are now living sixteen sovereigns in Europe, who are of or above three score years of age! The British king is the oldest, having almost completed his his 79th year—The duke of Anhault Dessau is 77 years old.—The pope 75. The elector of Hesse 74—Henry XII of Ruess 70; the king of Sweden, 69; the langrave of Hesse-Homburg 69; the king of Saxony 67; the king of the two Sicilies 66; the king of Sardinia 66; the king of France 62; the king of Bavaria 61; the duke of Oldenburg 61; the grand duke of Mecklenburg-Schwerin 60; the grand duke of Hesse 60; and the grand duke of Saxe-Weimar 60.

It may amuse the reader to learn the ages of the other potentates of the old world:—

The king of Portugal is 50 years of age; the emperor of Austria 49; the king of Denmark 49; the king of Prussia 47; the king of the Netherlands 45; the emperor of Russia 40; the king of Wurtemburg 36, the king of Spain 33; the sultan Mahomet 32; the duke of Saxe-Cobourg 31; and the duchess of Parma (late empress of France) 26. The latter has renounced her title of empress.—A proclamation before us begins:—"We, Maria Louisa, imperial princess and archduchess of Austria, by the grace of God, duchess of Parma, Placentia, Guastella," &c. &c. [*Daily Ad.*

The season in England, France &c. has so far been exceedingly dry. Last year the people prayed for dry weather, and now they pray for rain.

ENGLAND, &c.

Lord *Sidmouth's* letter, addressed to the lord-lieutenants of the English counties, inserted in our last number, is considered in England as one of the most alarming strides towards despotism that has yet been made. It seems to be thought even worse of than the suspension of the *habeas corpus.*

The duke of Wellington has arrived in England. One of his aids, col. Harvey, it is said, is to marry a Miss Caton, of Baltimore.

For the week ending April 22, there arrived at Liverpool 49,500 bushels of wheat and 3,869 bbls. of American flour. The price of bread stuffs was still falling—flour 72*s* per bbl.

It is announced that the princess Charlotte is again in the "family way."

British dependencies. The revenue of Malta and its dependencies, for the year 1815, was 114,426*l.* and the expenditure consisting principally of salaries and pensions 60,119*l.* The revenue of Mauritius and Bourbon, in 1814, was 206,860*l.* and the charges 119,900*l.* The military expences of the same island, for the same year, were 186,912*l.* The revenue and other receipts of the Island of Ceylon, during the year 1815, amounted to 640,444*l.* The expenditures for the same year, including the military establishment of the island, was 647,848*l.* The native troops of the island amounted to 5000 rank and file. The revenue of the Cape of Good Hope, for 1815, was 229,495*l.* and the expenditure 234,832*l.* including the pay of a native corps.

BRITISH NAVY. *Building*, 12 ships of the line; 2 yatches; 5 50's; 12 frigates; 4 sloops. Several of these are to supply the places of vessels destroyed or lost, and bear the same names.

Repairing, &c. 14 ships of the line to be cut down to *frigates;* 4 ships of the line; 18 frigates (one of which has never been at sea, and is estimated to cost 12,000*l.*) 10 sloops.

American seamen. We have the following strange article in a late London paper.——"Earl Bathurst having repeatedly written to Mr. Thomas Aspinwall, the American consul, directing him to provide a ship for the conveyance of American seamen, by whom our streets are infested, to their own country, that gentlemen had accordingly prepared a ship for the reception of these men, in the river; but no less than thirty-seven of them, who had signed the usual agreements for the voyage, deserted from their quarters during the last week, preferring rather a precarious dependence on British charity to a free passage to America. Mr. Aspinwall has applied by letter to Mr. Markland, of the Chadwell police office, requesting him to lend the co-operation of his officers towards enforcing the orders of Earl Bathurst on this subject."

FRANCE.

The king has so far recovered his health as to attend so business as usual.

A French ship, with 300 slaves, has been captured on the coast of Africa by the boats of the British ship Cherub. She made battle, by which 3 Englishmen were killed and 12 wounded.

SPAIN.

Some of the troops collected at Cadiz, destined for America, lately raised a mutiny, saying they would not act as butchers to the Cadiz monopolists Other troops were drawn out against them, a battle took place and the mutineers were subdued. 300 men are said to have lost their lives in the affair.

A quarrel took place between the British and Spanish out-posts near Gibraltar, in which several of the latter were killed. Two of the ringleaders (Englishmen) were executed at Gibraltar.

Spanish Navy. A writer in a London paper informs us that the whole Spanish naval force, consists only of 1 ship of 64 guns, 2 of 44, 2 of 40 and 1 of 36. What a falling off is here!

ITALY.

It is stated that the *plague* has broken out at Milan.

Lucien Bonaparte appears to be closely watched at Rome. It is probable that he will not obtain leave to embark for the United States.

SWITZERLAND.

The emigrants who are leaving Switzerland for the United States, are said to have among them many that were in easy circumstances, carrying with them much money. Their number is given at 5000. We are prepared to give them a hearty welcome. Their manners and habits most happily fit them to strengthen this republic.

RUSSIA.

The late events in England, it is said, have induced the emperor Alexander to pause in his system of enfranchising the peasants of his empire!

SWEDEN.

The king of Sweden has acceded to the "holy alliance." Bernadotte is busily employed in allaying the ferment of the people. The conspiracy against him was embarked in by many distinguished persons. It is intimated that the occasion will furnish an opportunity to strengthen the royal authority.

So general has been the practice of vaccination in Sweden, that for two years no case of the smallpox has occurred.

BALTIC TRADE.

The following is the amount of the cargoes of all the American vessels (85,) which passed Elsineur in 1816. Of the above number, 26 were in ballast —56 went to St. Petersburg, direct, 15 to Copenhagen, &c:

2,717,140 lbs. sugar—1,085,420 do. coffee—5,225,840 do. rice—125,744 do. cotton—105,220 do. cotton yarn and twist—95,985 do. ginger—52,512 do. indigo—30,082 do. pimento—48,618 do. cocoa —34,212 do. currants—17,159 do. gum Senegal—96,060 do raisins—10,100 do. figs—12,718 do. cassia —19,775 do. madder—1726 do cloves—3150 do. cream tartar—1910 do. almonds—251 do. cardemoms—410 do. nutmegs—1571 do. sassaparella—325 hhds tobacco—974 casks quercitron bark—50 do. turpentine—625 bags tumerick—399 do gall—175 tons Nicaragua wood—1553 do. log and fustic wood—425 do. salt—30 cases camphor—208 do. claret wine—1674 do. oil—3723 do. fruit—10 do. shilack—62,921 gallons wine—265 do. brandy—19,620 do oil—106,432 do. rum—288 logs mahogany.

EAST INDIES.

Mr. Eustis, our minister at the court of the king of the Netherlands, has succeeded in procuring an ordinance regulating the trade with *Java*, by which it is provided that foreign vessels coming from that island are exempted from the import duties payable in Holland, on producing evidence that they paid the export duties at Batavia.

SOUTH AMERICA.

It is reported, that in consequence of the conduct of the Danish governors in the West Indies, the patriot admiral Brion feels himself justified in making reprisals.

The ambassador, or agent, for the republic of Pernambuco, has paid a visit to the venerable *John Adams*, who recieved him with great cordiality. What a variety of interesting events must have rushed on the recollection of the ex-president on such an occasion!

We have a very pompous and truly Spanish account of the capture of *Barcelona* by the royalists, whose force apppears to have been very large. That of the patriots is given at 1000—and it seems admitted that nearly all of them, with many of the inhabitants, were put to the sword. The loss of royalists in killed and wounded is stated to have been 98.

From Buenos Ayres. We have a singular statement in the *Baltimore Patriot* of Thursday evening last, announcing that three gentlemen named had just reached this city, via Savannah, from Buenos Ayres, under the following circumstances:

These three, with five others, all of whom appear to have been persons of much consideration in their country and to have filled very respectable civil and military offices, were seized at Buenos Ayres on the 15th of February, at the same hour, and, without any thing being alleged against them, without examination, were secretly taken on board an English vessel called the Hero, whose captain had contracted to deport them to the United States for the sum of 4000 dollars. The official letter delivered by the supreme director of Buenos Ayres to the British captain, is given as follows:

"The persons mentioned in your enclosed list (those alluded to above) have been *shipped* on board the cutter Hero, bound to the United States. They are unfortunate beings, whom the government has expelled from their country on account of their variance in politics, and of their exalted ideas. They must not be viewed as criminals; but as they were considered dangerous, it has become expedient to transport them, directing them to that country where they cannot cause alarm, as its constitution and laws present a formidable barrier."

We are given to understand that the cause of this outrage was the opposition of these men to the occupancy of a part of the provinces of Rio de la Plata by the Portuguese; by whom, it is said, the supreme director and the chief men at Buenos Ayres have been purchased. If these things be true, we cannot wish success to men capable of such acts of villainy. But we have only heard one side of the question.

REPUBLIC OF PERNAMBUCO.

We have a variety of accounts respecting the late revolution at Pernambuco, in the *Boston Patriot* of the 21st ult. communicated by the secretary of Mr. Cruz, the ambassador from the new republic to the United States. It appears that the patriots have completely succeeded. We are happy to observe that they have abolished all titles of nobility and seem to possess very correct ideas of the republican system. The following addresses are interesting:

Address of the provisional government to the inhabitants of Pernambuco.

Divine Providence, which by its unsearchable designs can extract from darkness the most effulgent light, and through its infinite goodness allows not the existence of evil, except to draw from it greater blessings and felicity, has permitted some indiscreet and inconsiderate spirits to spread the seeds of discontent and ill grounded jealousy between the sons of Brazil, and those of Europe now in this capital, from which a great flame might arise, equally injurious to both parties, especially since the epoch in which the series of events in Europe began to give to the continent of Brazil that consideration to which it was entitled. We ask, in what are the Brazilians to be blamed? If the prince of Portugal is driven from his capital by the impetuous assaults of an invading enemy, and compelled to leave his Lusitanians to seek shelter in the free and generous continent of Brazil, and to satisfy his hunger and thirst in the latitude of Pernambuco, through the liberality of its inhabitants, wherein are the Brazilians to be blamed if this prince, actuated by motives of gratitude, should be desirous of honoring the land that sheltered him by the establishment of his court, thus raising it to the rank of a kingdom? The seeds of discord which unfortunately sprung up in our country, enriched generally by nature with unlimited fertility, so far from being eradicated and stifled in their origin by the hand which had the power to do it, were nourished by mutual indiscretion, both on the part of the Brazilians and Europeans. They never attained to such a height, however, but that they might have been extinguished by a conciliatory spirit in the respective parties. But the spirit of despotism and bad counsel had recourse to the most violent and perfidious measures that could be invented by the demon of persecution. They adopted the most tyrannical measures to destroy honorable patriots who deserve well of their country, thereby overwhelming with tears and despair their unhappy families, dependent on their exertions and labor, and whose loss has been followed by the total and inevitable ruin of their connexions. Nature and valor at length determined to oppose with all their strength this frightful tyranny. The whole army thought itself involved in the ruin of their officers, and the cry of defence was universal; it resounded in all the angles of the town of St. Anthony; the people flew to arms and supported the soldiers, for they were also Brazilians. The despots were intimidated by this new and unexpected scene, and still more so by their own consciences, that even in the breast of the impious, rise in judgment against them, and deeply torture the heart.

Inhabitants of Pernambuco! they had even taken the inhuman and dishonorable resolution of assassinating your associates. The patriots, in about two hours, found themselves without a chief or governor. In the centre of an agitated town, and revolted people, it became necessary to adopt some measures to avoid the disorders of anarchy. All was done in an instant; it was the work of prudence and patriotism. *Pernambucanoes*, be tranquil; peace reigns in the capital, the people are content; there is now no distinction between Brazilians and Europeans; all are known as brothers, descendants from the same origin, inhabitants of the same country, and professors of the same religion. A mild and enlightened provisional government, selected from among all the orders of the state, presides over your happiness; trust in their zeal and their patriotism. That Providence which directed the work, will carry it on; this enterprise being from Heaven, will be protected by it. You will see your happiness consolidated. You will be free from the enormous load of tribute under which you have groaned; our country will rise to that pinnacle of greatness which we have long been looking for, and you will enjoy the fruits of your labor in the general prosperity. Therefore, assist them with your councils, they shall be heard; with your arms, the country demands them; and with your industry and application to agriculture; these make a nation rich and powerful. The country is our common mother—you are her sons—you are descendants of the brave *Luzos*—are all *Portuguese—Americans—Brazilians—Pernambucanoes.*

Dated at the provisional government house, this 9th day of March, 1817.

(Signed) *Rev. Joao Ribeiro Pessoa,*
Domingos Joze Martins,
Domingos Teotonio Jorge.

Another address from the Provisional government.

Patriots, honored *Pernambucanoes*—The fields of *Gararapes, Tabocas*, and *Cazaforte*, exhibit striking monuments of courage and fidelity. Their heroes were not more illustrious than those of the present day, for they estimated their greatness to arise from the circumstance of their being *Pernambucanoes*, which we also are. Let us adore, beloved patriots, the Great God; that supreme being abounding in justice and goodness; let us raise our hands to him, swear eternal fidelity to our country, pledge ourselves to maintain with courage the great cause of liberty, and take no measures that shall not tend to establish it forever, or to die in its defence.—Let us be faithful imitators of the great heroes who rescued *Gararapes, Tabocas* and *Cazaforte.*

Dated 12th March, 1817.

LONG LIVE LIBERTY!

(Signed) *Rev. Joao Ribeiro Pessoa,*
Domingos Joze Martins,
Domingos Teotonio Jorge.

Bank notes not money.

CHILLICOTHE, O. MAY 13.

At the last court of common pleas held for Ross county in this place, the following case excited some interest, and as the question is a novel one arising out of the statute, entitled "An act to prohibit the issuing and circulating of unauthorised bank paper," a brief statement of the case may not be unacceptable.

State of Ohio vs. *Isaac Evans.*

Indictment for passing an unauthorised bank note on the Owl creek bank of Mount Vernon.

Messrs. Bond and Sill for the prosecution.

Messrs. Breecher and Creighton for the traverser.

On the part of the traverser, it was contended that the legislature in the second section of the above act, in the following words, "That every company or association that *shall lend money*, and shall issue by their officer or officers, or by any person or persons, bonds, notes, or bills payable to bearer or payable to order, and endorsed in blank, or use other shift or device, whereby the bonds, notes or bills given by such company or association, or on their behalf, pass or circulate by delivery, shall be taken and deemed a bank by this act"—had so particularly described the institution that should be deemed a bank, that unless evidence sufficiently strong to prove the "Owl creek" association to be of this nature had been adduced, the traverser must be acquitted—that no proof having been adduced to substantiate the fact of that association having

lent *money* i. e. specie—it was not a bank within this act—so particular is the description, that no allowance of what might have been the intention can be admitted.—The word *money* as used in the act, as contra-distinguished from bills, clearly shews what is the intention. If it had been intended only for associations that issue bills, the words *lend money* should have been left out, for that is an essential requisite to constitute such a bank as this act would embrace—for an association that does *not loan money* but issues bills, is not a bank within this act, the circulation of whose paper is prohibited.

2.—The constitutional objection was raised that the legislature had not a right to interfere with contracts; that they could pass no law impairing their obligation, and that they had no right to grant hereditary privileges, of which it was endeavored to be shewn a bank is one—that the granting of incorporations was a dangerous thing, that much was to be apprehended from their increase and final monopoly of the interest of the state—that the legislature had not a right to impair one man's credit by saying that his paper is not good and its circulators shall be punished, and at the same time say to others your paper is good the world may take it.

On the part of the prosecution it was contended —That the word *money* thus used in the act was to be received in its most known and usual acceptation, i. e. the common currency of the country—that the word as used in the statute books, in bonds of security and in every instrument, meant the common currency of the country, and that it should not now by a peculiar fatality be construed to mean *specie* —that the statue was meant to provide against an evil, and it would completely be repealed and its remedies not advanced if the construction given by the counsel for the traverser was to be received—that as to the constitutionality of the law there could be no doubt; the restriction of legislative powers over contract was admitted, but it was contended that it applied only in contracts executed or executory, but not to such as should be hereafter made—that the legislature had an equal right to regulate the emission and circulation of spurious paper, as they have exercised over retailers of spirits, and in many other similar instances; and in such flagrant cases, over institutions based on fraud and supported by usury, to say they have no power, is neither policy nor law; the power is weak enough to stop the growing curse, and courts of justice ought to advance rather than hinder the advancement of the remedies.

The jury retired after receiving the charge of judge Thomson, who declared the law constitutional, and thought that from the strictness which had been used in framing that law and the precision in its penning, particularly in defining a bank—that there was no proof that the present institution was a bank within the meaning of the act.

Next morning their sealed verdict was opened and was a special one, finding the facts of passing the money and under the knowledge of its being unauthorized, and said, if the court think the bill money we find the defendant guilty—if not money, not guilty.—After continuing the point for advisement for several days, the court decided that the bill *was not money*, and the defendant was acquitted.

[*Supporter.*

Manufactures.

FROM THE BOSTON CENTINEL.

Mr. Russell.—Much has been recently written upon American manufactures, and doubts have been raised whether they ought to receive the countenance of government. The principal reasons urged against them are that our country is yet too young;—that some millions of acres of now wilderness land should be first cultivated; that in manufactures too great a population is collected together for the enjoyment of health; that science is thereby neglected, and immorality increased: that it is more for the interest and happiness of the nation to encourage our merchants, to import from foreign countries already over peopled, and for our inhabitants to cultivate our own soil.

The writer of this communication, it will readily be perceived, is not a philosopher, nor deeply versed in the history of foreign nations; but professes to be interested in both agriculture and manufactures, and will present a few common place arguments in favor of the latter.

I consider it a fundamental principle never to be departed from, that agriculture should so far primarily be attended to, as that in no possible year of scarcity we shall be dependent on any foreign country for food. Beyond this, the result of our labor is exported for money, manufactures or luxuries; and I contend, that if the produce of the labor of two cultivators is exchanged for what one could manufacture at home, the country is a loser; but if the raw material will otherwise be of no value, then she is impoverished. It is for our interest to ship the raw hides, furs, wool and cotton, and import our shoes, hats and cloth? It is for our interest to keep the ore hid in the bowels of the earth, the rags of our worn out garments burnt; and import our pots, kettles, nails, and paper from *Great Britain*, and our bar iron from *Russia?*

That our country is young admits of no argument when compared with those of Europe; but in the arts and sciences, wealth and ingenuity, we are not a century behind them; and our wilderness gives a happy resource to posterity to make it blossom as the rose, or if more conformable to their genius to cultivate the arts.

In Europe as well as in America, machinery not only facilitates labor in a tenfold ratio, but enables women and children, who are unable to cultivate the earth, to make us independent of many foreign supplies. In Europe they are compelled to use steam power and the convenience of procuring fuel; and thus crowd them together covered with smoke, disease and immorality; but in our country we have water falls in every town in positions the most healthy, remote from each other, where literary and religious instruction is no more a stranger than with the cultivators of the soil. When government shall aid the manufacturers, I trust it will be on condition that instruction accompany it; and that they are not inconsistent is fully evinced by reference to the establishment at *Humphryville*, where the justices and rulers have certified that learning is faithfully attended.

In no part of the union can manufactures be so beneficially encouraged as *New England*. Our soil is least productive, our lands most cultivated, our mills sites most numerous, and our climate most favorable. The labor saving machinery, is almost incalculable; but a few years since, it required the labor of one man to make a thousand nails; now one of less ingenuity, can make sixty thousand. In one small establishment in the vicinity of this town, a cotton manufactory annually spins twist, and weaves cloth, in value $45,000; and employs but two men; the other laborers are destitute widows, boys and girls unable to cultivate the soil. The raw material is the production of our own country, and will

wear four times as long as that imported from India.

In civil society, next to food, manufactures become a necessary of life, and in war an essential. Upon prudential maxims can it be political wisdom to discourage those manufactures which the constitution of our nature requires, which insures a market for the raw materials indigenous to our own soil, as well as the surplus food from the fertile fields of the south.

The author of the "*Road to Ruin*" may reason that facts outweigh theories; and exhibit the prostration of our woollen factories which had the ephemeral growth of a short war, are now almost at an end, and the ruin of many left to bewail the delusion.

It is true, from the sudden and unexpected introduction of merino sheep, they were so much enhanced beyond their value that hundreds have been ruined and thousands essentially injured; but the time will come, when, with the aid of government, our woollens will vie with those of Europe, and the country be enriched.

The manufacturers of cotton were more unfortunate; by reason of interdiction from Europe, the raw material was depressed below that of any former period, many capitalists having no use for money in their usual course of business, were deluded by men who held water privileges to take shares in concerns that cost treble the original estimate; were conducted by men unacquainted with business, and almost as soon as they became in operation, peace presented an opportunity to flood our country with foreign manufactures beyond consumption. But the establishments which have cost millions, and the machinery which is now rusting, will be placed in the hands of judicious managers, and with the aid of government in prohibiting the importation of the deceptive India cotton cobwebs, our own will improve and flourish, and increase the wealth and independence of the nation.

This section of our country is now over-peopled for the cultivation of its soil, and the future increase must migrate to the west, or be employed in manufactures; and with it goes our wealth and commerce. As this subject will soon be presented to our national and state legislatures, I hope the societies formed and forming for the encouragement and support of manufactures, will not be deterred from explaining the best interests of the state; and trust, some writers of greater talents will elucidate the subject, and point out the "*road to wealth.*" S.

To Don Louis de Onis,

Minister plenipotentiary of his catholic majesty, near to the government of the United States.

Sir,

In the diplomatic correspondence between you and the honorable secretary of state of the United States, I find you have made very honorable mention of my name; I therefore take the earliest opportunity to return my most sincere thanks: there are two points however, in your communication, which I beg leave to explain, and that explanation I give with the more pleasure, because it will probably render you more respectful to the government of the United States, and may even spare you an unnecessary embarrasment at our next interview. You have attempted, sir, to cast a shade on the administration by your simple assertion, that I was concerned with the revolutionary party of St. Antonia de Bexas; this statement is altogether, and must be wilfully incorrect, since it is a fact of notoriety, that on my passage to the interior provinces of Mexico (being then on a mission under the authority of the government,) I was detained a prisoner three days at the river Trinity, by the patriots, and the flag of the United States, my companions and even my servants, were taken from me, and I was compelled to pass through a wilderness of near four hundred miles alone; and I aver that I was not directly or indirectly concerned with that army; although, sir, I assure you, that had I not been in the service of my own country, I would most cheerfully have been one of the party.

As it regards the second point, in which you observe that I was concerned in the murder of fourteen Spanish officers: suffer we to inform you sir, that I was in Orleans, on my way to Washington city, when the dreadful outrage was committed. I was personally acquainted, sir, with all those officers, and the most of them gentlemen of honor, and worth; with the unfortunate governor Herrara I had been intimate for many years; and sir, any but an illiberal Spaniard may judge of my friendship for that amiable soldier, when I state, that my son has borne his name for more than ten years; no one can deplore with more sensibility than myself, that horrid assassination; but sir, by whom was it perpetrated? Was it by Americans? No sir, it was by the secret order of the commander in chief, a creole Spaniard, who possessed no other feeling or sentiment than that which is common to every native of that country; it was a feeling sir, which has arisen from 30 years of dreadful servitude, and it is to a sense of injury, that Mexico will sooner or later owe her independence.

I shall now add, by way of concluding this note, that as your language, sir, is extremely indecorous, I shall not descend from the dignity of an American and an officer of the Mexican republic, to answer the illiberal and scurrilous observations of the minister of Ferdinand VII. You will therefore please to recollect, that as you state I have, in my own person, declared war against his majesty, I shall in all future correspondence on the subject of that war, address my communications directly to the king your master; but, sir, I give you a parting assurance that I will give his majesty sufficient time *to calm the very important considerations which lie before him*, having heard through the medium of your official correspondence, that the king your master, was too much occupied with the organization of the officers of the bedchamber and the toilette apartments of *his young spouse*, to attend at this moment to the trifling considerations of Spanish relations with the United States, or (as I suppose) the insurrection of an hundred provinces in America.

I solicit you sir, to accept my most sincere solicitations, and my wishes that you may live a thousand years to enjoy the reputation which you have acquired in America.

JOHN H. ROBINSON.

Don Louis de Onis, &c. &c. &c. &c.

Miscellaneous.

Destructive insect. Vast multitudes of a worm, about an inch long, called by some the *locust larva*, and by others the *cut worm*, has made its appearance in some parts of Massachusetts. They are exceeding voracious, destroying every blade of grass in their progress, and so numerous that three hundred of them have been dug up within a foot square. Their motion is directly forward, and their course is marked as though fire had over-run the herbage. In one case it is stated that 40 acres of land in a body are without a single spire of grass! And some

were burning over their pasture lands to plough and plant them; but as they do not injure the root, a favorable season may yet restore the herbage.

The progress of these insects, it is said, may be stopped by cutting a trench or ploughing a deep furrow, into which they fall and perish, being unable to scale the walls. It was thus that the progress of a similar worm was checked about the year 1779.

Literary and military intelligence. We understand that captain *O'Connor*, of the artillery, has for some time been engaged, by order of the war department, in translating from the French a celebrated Treatise on the Science of War and Fortification, originally composed by order of the emperor Napoleon, for the use of the students of the Imperial Polytechnic and military schools of France. This work embraces the whole science of war and field and permanent fortification, with all the modern inventions and improvements in the latter branches; and in France is universally used by the military, and is esteemed beyond all other productions on these subjects, being considered a masterpiece.

We learn that the translation is completed, and will shortly be published for the use of the cadets of the United States' military academy.—*Nat. Int.*

INTERESTING DRAWINGS.—*From the Petersburg Intelligencer.*—On the sailing of the French expedition for Egypt from Malta under Bonaparte, the fleet was intentionally dispersed in order to arrive without being noticed; they had no sooner left Malta, than they learned that admiral Nelson had penetrated their design, and was in pursuit of them. Expecting every hour to be come up with, and being too weak to risk a combat, it was the resolution of Bonaparte and the rest of the illustrious persons on board L'Orient to blow her up, rather than be taken prisoners; but, that the memory of those who perished might be preserved, and their features known by posterity, Bonaparte caused the portraits of eighteen to be taken on two sheets of paper, and to be rolled up, put in bottles and committed to the waves. The names of the persons are, (first drawing,) Dapaix [dead,] Bonaparte, Berthier [dead,] Caffarelli [dead,] Kleber [dead,] Brueys [dead,] Dalimier [dead,] Monge, Berthollet—Second drawing, Rampon, Murat [dead] Junot [dead] Lasnes [dead], Regnier [dead,] Belliard, Desgenettes, Snulkanski [dead,] Larey. Thus of the eighteen eleven are now no more. The portraits are executed in medallions in India ink, and now ornament the study of Baron Larey at Paris.

PATENT RIFLE—*From the Richmond Compiler.*—There has been deposited in this office an "Improved patent rifle, made by John H. Hall, of Portland, district of Maine." It is intended for the inspection of gentlemen, who are conversant in the use of fire-arms. It is a curious invention, its great peculiarity being, that it loads near the *but end*, instead of at the muzzle. Near the lock, there is a spring which being touched and pressed down, causes the *Receiver* to fly out on a hinge. You introduce the cartridge, containing the powder and ball, press the receiver to which shu's with a catch, and the rifle is loaded. There is of course, no ramming down the ball, &c. with a ramrod, the only use of which is occasionally to swab out and wash the rifle.

Some of the advantages of this improvement, as stated in an accompanying pamphlet, are, that the patent rifles may be loaded and fired with good aim, *more than twice as quick* as muskets can be fired with cartridges—they may be fired as often as any gun can bear firing, without soon becoming too hot to be held; in addition to this, they may be loaded with great ease, in almost every situation, either in lying down, sitting on the ground or on horseback, walking and even running"—"They require too less swabbing, and it never interferes with the charge.—They cannot be so much overcharged by accident as other guns, and therefore are not so apt to get burst, &c. &c. In short, they are very durable, and combine every advantage peculiar to muskets, except of throwing shot, and that pertains to common rifles with many other important advantages possessed by neither of those species of fire-arms, but peculiar to these alone."

The writer of the pamphlet observes: "As the forte of American militia consists in their superior skill in the direction and management of fire-arms—as from their local knowledge and from their habits they will always excel as light troops—and as the most important advantages may be derived from their ability under proper arrangements of quickly assembling and moving with rapidity to any required point, these guns are most excellently adapted for them."

LIGHT HOUSES—*From the National Intelligencer.*—Contracts have been made for erecting during the present summer, the following Light houses, in the state of Massachusetts, viz:

On Petit Manan.
On Naushawn Island, near Tarpaulin cove.
On West Chop of Holmes' Hole.
At Nantucket.

These houses will, probably, all be completed in the month of October or November next.

Arrangements have likewise, we understand, been made for determining whether Gas may not be advantageously substituted for oil, in the light houses of the United States. The experiment is to be made at the light-house at Newport, Rhode Island. It is particularly recommended to the attention of mariners, from whom communications (addressed to the treasury,) as to its relative benefits or inconveniences, when compared with oil, are invited.

ANNUAL CENSUS.—The rev. John Stanford "attending minister," in the city of New York, has furnished the editor of the "Columbian" with what he calls his "annual census"—of which the following is a compressed view:

In the *orphan asylum*—66 boys, 47 girls—total 113.
City alms house, including children at nurse—white men 368, boys 396; white women 394, girls 242; black men 29, boys 13; black women 47, girls 11—total 1500

City hospital—patients 190; maniacs 78—total 268.
Debtors prison—including the liberties, 300.
Bridewell—white men 44, woman 17; black men 28, women 33; boys 7—total 127.
Penitentiary—Bellevue, white men 83; white women 40; black men 52; women 14—total 189.
State prison—white men 624; white women 19; black men 80; black women 29—total 752.

Grand total 3249—do. last year 2401; increase 848.

Machine!—A catalogue of curiosities recently published in the Connecticut Journal, mentions among the collection, the following modern invention:—"Amicus Famine Optimus, or an African Corsletizing mill, for grinding up scandal and awl blades, envy and corkscrews, tattling and waggon spokes, and mysteriously uniting them so as to produce ready made corslets for the use of the fair.

WHALE FISHERY—*From a Bermuda paper.* One of Mr Francis F. Hinson's boats, in the whale fishery, which had been fitted with a gun imported by the proprietor for the purpose, has lately shot a

whale and brought it in. This is quite a novel mode of carrying on war against those huge natives of the briny element. The gun is charged with a harpoon of a curious construction, which is shot with such force as to enter the whale at a considerable distance: and possession of the object is retained by a warp attached to the harpoon before the discharge of the gun, and made fast also to the boat.

Bill of costs, *from a British paper*, paid by the united kingdoms of Great Britain and Ireland for enslaving Europe.

The sums annually raised by taxes, since the commencement of the war, are as follows:

1793	£17,656,418	1805	£46,578,564
1794	17,170,400	1806	51,339,015
1795	17,308,311	1807	54,982,015
1796	17,858,454	1808	60,189,414
1797	18,737,760	1809	63,026,563
1798	20,654,656	1810	65,227,264
1799	30,202,915	1811	69,188,041
1800	35,229,908	1812	66,973,208
1801	33,896,464	1813	66,444,103
1802	35,415,096	1814	75,324,084
1803	37,240,213	Ending 5th January, 1815.	
1804	38,858,373		

CHRONICLE.

A frigate-built ship, called the *General Scott*, lately sailed from New-York, said to be bound for Havanna. She is described as one the fastest vessels that ever floated—is of 1000 tons burthen, and *appears* to have been completely fitted and armed, from the attention she excited in that place.

An English paper, noticing the election of Mr. Monroe to the presidency of the United States, observes, *that he lost a leg in the revolutionary war*, and is rather of the Washington school.

On the 25th of April last, (says an Ohio paper) the chief judge of the supreme court of the state of Ohio, was fined one dollar and fifty cents for not attending a militia muster, as a private sentinel, in strict conformity to the laws of the state of Ohio.

The Spanish consul at New-Orleans has been caned by a Mexican officer, who immedintely after made his escape.

Died, at Belle Fontaine, capt. *Edmund Shipp*, of the rifle regiment—a valuable and much esteemed officer.

Also, at Washington City, the lady of the Spanish minister, the Chevalier de Onis.

And in South Carolina, col. Joseph Calhoun, in his 67th year—a revolutionary patriot.

It is stated that Mr. Taylor, our consul at Port au Prince, has left that place in consequence of the condemnation of an American vessel by Petion. The merits of the case are not given.

It is also reported that the Carthagenian cruisers have commenced hostilities on Petion for having seized upon several Spanish prizes sent by them into his ports.

Hemlock. Some school boys belonging to Hillsboro', N. C. stopping at a spring, met with what they thought was *angelico*, but which was *hemlock*. Two of them ate of it—one of them died in less than an hour; but the other got well.

Stocks &c.—at Baltimore, May 28. U. S war loans 103, old 6 per cents. 100, bank stock 95, for 65 paid. Exchange on London, 2 per cent. ad.

Common schools, *in New-York*. We have an abstract of the returns for 1816, made to the superintendant of common schools by the clerks in all the counties in New-York, except 5—but the returns from many of the towns within the counties reported are wanting. The following are the results:

The counties reported contain 484 towns, and returns are given for 355. Whole number of school districts in said towns, 3,713. Districts from which returns were made, 2,873.

Amount of monies received in said districts, $174,681 96.

Number of children taught in them 173,240.

Number of children between the ages of 5 and 15 residing therein 198,440.

Impediment of speech. We are notified that a person in Philadelphia has adopted a course of application by which adults and children afflicted with defects in speech, may be relieved and in some cases cured.

Address, E. X. post paid, northwest corner of Union and Friend streets, Philadelphia.

Steam frigates The commissioners of the navy have issued proposals to contract for three steam engines of 120 horse-power each, to be completed within a year, for as many steam frigates.

North Carolina. We are, indeed, pleased to learn, from the "Carolina Observer," that many valuable improvements in agriculture have lately been introduced into the interior of this state. There is no member of the union, perhaps, that possesses a better soil or more healthy and benignant climate than North Carolina, a small distance from the seaboard; her population and wealth has rapidly increased without much assistance from emigration, and all are glad to hear of the prosperity of this important and patriotic state; as domestic, and, perhaps, as completely dependent on herself for the necessaries and comforts of life, as any in the union.

The *Albany Register* is to be resuscitated, and will appear under the editorship of Mr. I. W. Clarke, on the 4th of July next.

Emigration. From the 10th of March to the 27th May, there arrived at New-York, 250 vessels, in which came 1600 passengers. Many have arrived at other ports—a vessel with 130 has just reached Philadelphia from Guernsey.

"*The boundary commissioners*," so called, appointed by the United States and Great Britain, appear about to commence running the line to determine the boundary east of lake Champlain.

The Roanoke. A board of commissioners has been appointed to explore the coast of North Carolina, with a view to ascertain the practicability of deepening the entrance of the Roanoke river, which is nearly choked up with sand externally, supposed to be thrown up by the current of the Gulph stream.

Richmond. A census has just been taken, (by order of the Common Hall,) of the population of this city, and the result is thus reported:

In Jefferson Ward,	5,107 souls.
Madison ,,	3,752
Monroe ,,	5,479
Total population,	14,338

Being between 4 and 5000 more than is enumerated in the federal census of 1810.

Singular escape.—From the (New York) *Columbian* On Saturday last an infant about 2 or 3 years old, unperceived by its family, got out of the scuttle or dormant window of a two story house in Chery-street, and crawled down the roof to the back gutter. In this situation the child was discovered by a man in Water street, and the alarm given to its affrighted parents, who remained in an agony of suspense for some time, until by the activity of a cabinet-maker at work in an adjoining yard, the the little adventurer was reached and handed into the garret window in safety.

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Hæc olim meminisse juvabit.—Virgil.

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A Naval Establishment.

The facts stated in the following were expected by us to have concluded the article under this head in our last paper, but they did not reach us in time for it. They are in answer to certain queries that the editor respectfully addressed to a distinguished gentleman, whose great experience and local situation gave him the best opportunity of furnishing the information requested; we are thankful for that urbanity which induced him so handsomely to comply with our wishes, and therein, we think, gratify his fellow-citizens at large, deeply interested in all that concerns the navy.

"Sir—In answer to your enquiries, permit me to inform you, that the whole annual expense of a 74 gun ship, in service, exclusive of repairs, and which, taking one year with another, will not exceed $24,500, is estimated at $184,529; and the expense, in service, of a 44 gun frigate at $134,210, exclusive of $14,200 for repairs.

I am not in possession of any positive data by which to determine their relative expense, when laid up in ordinary; but from any experience that I have had, I am inclined to think we should come nearest to the truth by estimating their annual expense, (keeping them in a state of perfect readiness for service) at a sum equal to, but not exceeding, the amount required for their repairs in actual service. In this, however, it will be observed, that the amount of the pay and provisions of the few officers and men necessarily attached to them, for the purpose of taking care of them while so laid up, is included.

If the before enumerated estimates be correct, and I have good grounds for believing them so, it is to be inferred that the annual depreciation of a 74 gun ship is actually no more than $24,500—while that of a 44 gun frigate is but $14,200; consequently, that by expending annually, *for repairs*, the before mentioned sums, they would, in all probability, be as fit for service one hundred years after, as they were the day on which they first put to sea—provided, however, the repairs alluded to are made in suitable *docks*, instead of the destructive and inefficient mode [heaving down] that we have heretofore practised.

The frames of our ships have hitherto been constructed of *live oak*, and we ought henceforward never to use any other, provided that can be obtained; and of which there is no doubt, if suitable measures are taken to prevent its destruction.

I mention this to prevent your thinking me extravagant in calculating the duration of the *frames* of our ships at 100 years; but of this I have no doubt, so far as regards the *live oak* part, provided they are repaired under the advantages afforded by dry docks:—indeed, from the observations that I have been enabled to make, on this kind of timber, during a series of more than 25 years, I am led to believe that under the circumstances I have mentioned, it would be found entirely imperishable, or at any rate as much so as a block of marble."

Statesmen and Politicians.

POLITICAL ECONOMY—NO. I.

Many have thought that statesmen and politicians were synonymous; but the absolute distinction between them begins to be duly appreciated. *Politicians* are sufficiently numerous—some are to be found in every village; but there are few *statesmen*. These are better calculated to give light from the closet, and claim admiration in the committee-room, than shine before the people and make *great* speeches in the legislative hall; and mankind are too willing to sacrifice substance to shew, especially if the former trenches upon their ease. In addition to these hindrances, the growth of statesmen is retarded by the severity of labor and profound calculation needful to understand the POLITICAL ECONOMY of a country; and applause, more or less the desire of all men, slowly follows its acquirement, because its operations are prospective—and its benefits spread themselves so gradually before the people, that, by the time they are developed, their author may enjoy a posthumous honor, in the records of history. Few men are willing to labor for this reward only—but almost any man can make a speech about the common concerns of the day, and say aye and no, with promptitude, to the various questions of party; and some can hold a good argument on either side, as they please—without reflecting, without knowing, perhaps, that *mind* has marched before them to lay the foundation of the right or privilege to move their *tongue* about politics at all. Statesmen may be called matter of *fact* men—politicians are men of *opinion*. It costs much trouble and research to the first to advance a proposition—for they view it with mathematical precision before they give it; whereas the other, on either side of the question, by subscribing to an active newspaper, may have all the matter they want for eight or ten dollars a year! What a vast saving of labor—*calculations* are bothersome things. I know two gentlemen, one then a member of the senate and the other of the house of representatives of the United States, (great *politicians*) who preferred each to extract two or three pages from my humble writings and use them as their own, *letter* and *figure*, rather than take the trouble of making calculations for themselves! I felt the compliment, while I regretted that it was so paid to me; for I spoke of things that ought to have been notorious to every reflecting man. It is the silent work of the statesman, not only to put the well-balanced wheels of a system in motion, but to take heed that they are neither accelerated by the intemperate zeal, nor impeded by the culpable negligence of politicians; often a disagreeable and very ungracious duty. If our nation's good depended upon an ability to declaim about our foreign relations—or speak upon domestic contests of opinion, we should every where present a front as terrible to an enemy as the sides of the thrice-victorious *Constitution* frigate; and have avoided the pinching times that now set upon us so heavily. But this sort of people do little good to the country—office or power, for themselves or their friends, is too frequently the spring of their zeal—they care not where the foundation lies so they are at the head of the structure

long enough to accomplish their own selfish purposes. Let us "dig deep" and discover this foundation—the gad-flies that flutter round will leave the cap-stone, if the *people* strike at the base.

A writer in a *North-Carolina* newspaper, supposes that the present parties in the United States will decline; that the Eastern states will side with the administration, because the administration will support the "manufacturing policy"—and goes on to conclude that there will be a "*manufacturing* and an *agricultural* party." This is speaking as a *politician*, and, if such a division takes place, it will grow out of *politics*, not of *policy*. There is no rightful or reasonable cause for such a division; the interests of the two are inseparable; and both, to a certain extent, must be aided by *commerce* to their legitimate standing. All will say that *agriculture* is the most important of the three, yet it is needful to its welfare that the others should have respect and importance, as we shall attempt to shew in the sequel. I am of the belief, that nothing but a proper equilibrium between them can be relied upon to preserve the present glorious equality that prevails in the United States, and keep the middle class (so called) which is the bone and sinew of every country, from annihilation. A nation of *pure agriculturalists* cannot be numerous, unless there are lords and peasants, masters and slaves;—a nation of *manufacturers* must abound with nabobs and paupers;—and a nation of *merchants*, to the misery of these two would superadd a degradation capable of trampling upon the cross and dealing in the scalps of men to make money. But each balances, regulates and refines the rest; and, in their union, afford us the means of being, and of continuing to be, a free and happy people, as well as a sovereign and independent nation, for ages.

Local circumstances and temporary matters may make it the interest of small countries, or sections of countries, to encourage or chiefly support some one of these sources of wealth—and so the people of *Massachusetts*, not long ago, seemed willing to sacrifice every thing to *commerce*. This was a grand mistake: but when, through the force of party zeal for England, some of her citizens opposed the establishment of manufactures among themselves, they deserved the character of madmen devouring their own flesh and blood. A very honest and truly American *politician* in South-Carolina, Georgia or Louisiana, may feel a certain degree of indifference about home manufactures and American ships for carriers of his agricultural products to market; but the man of Massachusetts, Rhode-Island or Connecticut that has such a feeling, must possess a very depraved heart, or a very weak mind. The *statesman*, in either section, would see that a combination of the interests of all was the true interest of all. The deep soil and rich products, sparse population and numerous slaves of the southern states, causes their politicians to feel a less immediate necessity for manufacturing establishments and the employment of our own ships and seamen, than would others, in the eastern states, where a thin soil and severe climate, affording no great profit to agriculture, teems with freemen and is destitute of the cheap labor of slaves. These must seek the productive employment abroad that the others have at home, or create something that may afford it at their own doors; and it will in no wise surprise me if the *statesmen* of Massachusetts, whose voice, or will, was lately drowned by the noise of faction and fury of politics, should soon come out decidedly in favor of manufactures, and endeavor, by all honorable means, to give them a firm footing in their country. Nothing else can prevent the flower of their youth from emigrating too rapidly.

I certainly wish that the present parties in the United States should decline—I gladly believe that their animosities are subsiding, and feel assured that if it were not for demagogues and office-hunters that the *people* would settle down in a broad and proud American feeling. But let us not shake off our present denominations of republicans and federalists to take up the more injurious party names of *agriculturalists* and *manufacturers*. Their interests are entirely compatible—they are so knit together that they cannot be separated without an act of violence ruinous to both and the nation at large.

Many *statesmen* have held an opinion that it was for the interest of the United States to have their "workshops in Europe." Among the most distinguished of these were Mr. *Jefferson* and Mr. *William L. Smith*, late of South Carolina; both of whom, with others, changed their opinion as the resources of their country and its wants developed themselves. Mr. Jefferson, in his admirable letter to B. Austin, Esq. [see WEEKLY REGISTER, vol. X. p. 25,] says—"We have experienced what we did not then [in "1785] believe, that there exists both profligacy "and power enough to exclude us from the field of "interchange with other nations, *that to be indepen-"dent for the comforts of life we must fabricate them "ourselves.* We must now place *the manufacturer "by the side of the agriculturalist.* The former ques-"tion is suppressed, or rather assumes a new form. "The grand enquiry now is, *shall we make our own "comforts, or go without them at the will of a foreign "nation?* He, therefore, who is now against do-"mestic manufactures, must be for reducing us "either to a *dependence on that nation*, or be clothed "in skins, and to live like wild beasts in dens and "caverns. I am proud to say, I AM NOT ONE OF THESE." Who does not see the force of these remarks? Yet, perhaps, to the original opinion of Mr. Jefferson, so popular with one party and so much esteemed by all for his talents, we are more indebted than to any thing else, for the prejudices existing against manufactures, among politicians—who look at the outside of things, and feel it a sort of derogation from their dignity to give up an idea once formed. Truth—principle, is always the same, unchangeable. It might, in 1785, have appeared the interest of the United States to discourage manufactures—there was a steady demand for all our surplus products of agriculture;—but how have we changed, how has the very nature, almost, of our country and of all Europe changed since then; and what revolutions have also taken place in manufactures themselves, by the introduction of labor-saving machinery?

The great objection to manufactures was, that they abstracted labor from the more profitable and more healthy pursuits of agriculture. And this might have been a reasonable objection when able-bodied men were doing the work that is now better done by little girls from six to twelve years old. We here allude to the manufacture of articles for clothing, with a reference to facts that cannot be questioned. Messrs. *Robert* and *Alexander M'Kim* have a cotton mill in Baltimore, driven by steam, capable of making a certain quantity of yarn per annum. The cost of the raw material used, at its present high price, is estimated at $35,200, and the value of the yarn produced, at its present low rate, at $58,500. The difference between these sums ($23,300,) variously disbursed, and some part retained for profit or interest on capital employed, is nearly as much a value *created* and thrown into the general wealth, as if the Messrs. M'Kims were

capable of transmuting some useless substance into pure gold of that value; for in the whole establishment they employ but two or three men;—all the rest, in number about 100, are girls from 6 to 12 or 13 years of age, and a few women; *who, without this employ, would earn nothing at all.* Mr. A. M'Kim, (the late member of congress from this city) informs me, that many of his little work-people read and write handsomely. They live with their parents, who are generally poor, but not the most indigent; and their wages assist in sending them to school or furnish them with clothes to appear decently there. The little girls often seek employment for the avowed purpose of earning money to buy clothes to go to school in, and no difficulty is found in obtaining as many hands as are wanted. We feel warranted in saying that this factory is a blessing and a comfort to many families in its neighborhood. The yarn spun at this mill, if wove into cloth, would give us about 315,000 yards 7-8 wide, at 25 cents per yard, or $78,750, and leave a gross value *created* of $43,550, *per annum*——but the weaving is chiefly done by men.

This mill gives a *steady* market to agriculture of the amount of at least $37,200 a year—35,200 for cotton, and 2000 for the *extra* articles of food that its laborers consume; for they certainly live better and fuller on account of the wages received, than they would otherwise do if they earned nothing. These are its first benefits to agriculture—what are its disadvantages? I can think of none, except the duty levied on foreign cotton cloths can so be considered—which is paid by the consumer directly to the government, on the foreign article—or an equivalent to the manufacturer, if he uses the home made commodity. By the present tariff, this duty amounts to nearly 4½ cents per running yard. But the farmer pays no greater share of this, for one of his children, than is paid by the poor child that tends the spindles; for she also must be clothed. Government must be supported; but of all taxes for that purpose a land tax is the most equitable. Under the present system, I pay more taxes than thousands of farmers, with as large families as I have, and worth twenty times more than I am—perhaps thrice as much; such are the requirements and necessities of a city life; nor have I any way to get this equalized with them; they may or may not buy my commodities—but I cannot use this discretion with respect to their products. I *must* have them at *their* own prices. I venture to say that the foreign goods consumed in *Baltimore* produce more to the revenue than all such goods consumed by the rest of *Maryland;* and this comes less of luxury than of necessity. Will the farmer refuse to *advance* his portion of the public burthens, having the power to exact the whole of it from the consumer of his articles? The man who eats bread may as fairly be said to pay a part of the taxes of the farmer who raises the grain, as he that uses foreign goods pays the duty upon them. No sort of tax can be laid that does not settle on consumption, or that can fairly be paid except by *labor.* But it is not worth while to discuss this matter at present. Our system of taxation will not be materially changed, except in case of war, when all ranks and conditions must yield their support to the government—and, the more domestic we are, the less reason shall we have to expect collisions with foreign nations.

The city of Baltimore can, without inconvenience to its population, and with great advantage to the morals and manners of its society, furnish hands for 15 mills like that of the Messrs. *M'Kims*, each mill employing children of the same sex. This single resource, and at a single point, would *create* a value of $359,500 every year, which, without it, would not in any way be created at all; for double the number of children required, are always running through the streets or idling away their time, without the least profit to themselves or their parents, too poor or too careless to send them to school—and we have several thousand respectable women that would be glad to earn even two dollars a week in any way esteemed reputable, if they could. An extensive manufacturer of *Philadelphia*, who has the best opportunity of knowing the fact he states, told me, that he believed there were 10,000 decent and good women in that city who would be happy for a fitting employment at two dollars per week, for six months in the year; but most of them would expect to work in their own houses, which might be extensively contrived if manufactures were flourishing. Would they be any the worse of this—would agriculture be injured if the, at present, unemployed *women* of Philadelphia were to add 500,000 dollars a year to the general wealth of the nation?

With these preliminary and desultory remarks we shall proceed to take a view of the following subjects, supported by references to authentic documents and appeals to palpable facts:

1. That our agriculture cannot furnish a surplus for export of sufficient value to clothe and supply the people of the United States; and to the cost of such goods we shall add the charges and duties upon them,—which must be paid as well as the original purchase money.
2. That *if* agriculture could furnish such surplus, the foreign market will not receive it one year in ten—unless at such rates and on such terms as would beggar us. Wheat, at 50 cents a bushel, delivered on our sea-board, for example, might, perhaps, generally find a market—but could we raise it at that price?
3. That the foreign market is never to be relied upon, and may be lost altogether by war, &c.
4. That manufactures establish a steady home-market that may be depended upon, and have been found every where to give a stimulus to agriculture—in which it will appear that it is not always the interest of individuals to purchase a *foreign* article because they can get it for less money than the domestic one costs.
5. That it is by manufactures, only, that we can bring into operation the whole *productive labor* of our country; which is the true and only certain source of wealth in any one.
6. That certain manufactures, now exceedingly depressed, such as those of *iron*, for instance, *must* be supported, being indispensable to our political independence—and that these manufactures being annihilated, cannot be suddenly restored, if we should want them ever so much.
7. That the high price of labor, as the phrase is, is no objection to manufacturing—for all wise nations prohibit the importation of [or lay heavy duties upon] many things they want, which they could get for less money abroad than they can make them for at home. Instance England, who refuses to receive the cotton goods of her own colonies in Asia.
8. That shipping and commerce is necessary both to agriculture and manufactures, and essential to the safety of the United States.
9. And, finally, that the people of the United States, as agriculturalists, would be impoverished—by excessive manufactures, would be rendered miserable and effeminate—by too much commerce, be converted into a nation of

knaves; and that the three, in certain and just proportions, must exist to render and to keep us a free, happy and prosperous people.

☞It may be thought by some that certain of the preceding propositions are too evident to require any thing to be said about them: but we propose to support them, not by argument only, but by a collection of *statistical facts* and *calculations* that may serve for useful and easy reference, if they do no good in the way of conviction and conversion.

This article shall be continued and concluded as soon as time will allow us to collect and prepare the facts for publication; a work that cannot be performed without much examination and considerable reflection. The study of statistics, though ever delightful, is always laborious.

Permanency of the American Union.

BEING PART OF AN ESSAY DELIVERED BEFORE THE LITERARY AND PHILOSOPHICAL SOCIETY OF CHARLESTON, IN 1815—COMMUNICATED BY THE AUTHOR.

"The dread of calamity has often induced the evil apprehended. A high confidence in our powers, on the contrary, however extravagant, has uniformly led to the noblest results. This consideration excites the most poignant regret in every American, to observe the prevalence, in a degree, of an idea which, if sound, would chill the hope of every patriot. The idea alluded to is, that our confederation is temporary—that as we increase in number we shall diminish in harmony—that the remaining days of our national love are but few—and that perhaps many of us may reach the afflictive hour when state shall unfold its banners against state, and the triumph of the American citizen will be, who is most crimsoned with his brother's blood. Were this possible, who of us would not envy his father his grave? Who would not weep over his child, bereft of the beatitude we inherited, and born to act and to suffer in this night of glooms, of sorrow, and of perdition? But may we not ask, with the great Carnot—"was "liberty only shewn to man that he might never "enjoy it? Was it incessantly offered to his desires "as a fruit which he may not touch, without being "struck with the hand of death? Has nature, then, "after making this liberty one of our most pressing "wants, refused us its blessings, like a cruel step-"mother? No." We would add to the enquiry, is not liberty the parent of American independence and felicity, and can she also be the parent of our wretchedness? Are we wrong in asserting, that her bounty has been enjoyed with a gratitude which evinces it was not misplaced and should not be discontinued? Without being sensible that our wishes form our opinion, we think we see by the lights of history, that the American union is permanent; that many causes of discontent are transient—and that its strength will increase with our years, as time is preparing new cords to encircle and bind us more closely and more firmly.

1. The first great truth on which we base this position is, that those political bodies which we now admire most, for their size and power, are constituted of parts more heterogeneous than the United States.

The whole of Europe was originally divided into small warlike clans, and the combination of these clans form its present great divisions. Spain, we know, was overrun by Moors, Visigoths and other barbarians—the kingdoms of Aragon and Castile grew from an union of these small portions, and the marriage of Ferdinand and Isabella converted Aragon and Castile into the kingdom of Spain. However bigotry and indolence may latterly have degraded her, she has had a period of power and renown, and her regeneration is less distant than her senseless tyrant imagines. Here, then, ferocious and vindictive bands have formed a *lasting* union and made an important nation.

Similar was the infancy of France. Clovis, the chief of a tribe, vanquished the Atemanni at Tolbiac—at Vouille he destroyed the army of Visigoths, and from the repulsive fragments of nations, that cherished mutual abhorrence, composed the foundation of the French monarchy. Subsequent kings, by the sword, enlarged its boundaries, until the present mighty empire was formed. Provincial antipathies have passed away, and the name of Frenchman has absorbed every ancient distinction. Jena, Austerlitz, Mowskva and Marengo, are the lofty monuments of her power—the last five and twenty years have been illumined with the deeds of her national devotion—with the agony of remorse, she now acknowledges the infatuated error of having welcomed, as guardians, foes so often deplumed, and she will, ere long, throw off the incubus which encumbers her, and re-appear, the wonder of the globe.

Of the kingdom of Britain we know that the portion denominated England was parcelled into seven divisions, between which wars and animosities were unceasing, until in the year 827, Egbert, king of Wessex, having defeated the others, erected the seven into one kingdom. In 1172, Ireland was reduced and annexed. In 1284, Wales, after the most execrable and sanguinary acts, was added. Scotland however, though occasionally kept quiescent by terror, recognised in England only an enemy—and the high-spirited Wallace and Bruce, at Sterling and at Bonnuckburn, taught her the danger of outraging a people disposed to respect themselves. James I. on the assinine principle of legitimacy to inherit a government, was titled king of Great Britain; but the connexion never merited the name of union until 1707, when Anne succeeded in procuring the compact of union. From that æra, notwithstanding occasional bursts of angry recollections, each country has been happier, and these hostile neighbors have become inestimable friends.

Such is the nature of the materials which form the great empires of Europe; the constituent parts of the United States unquestionably have more principles of affinity. The colonies were planted with emigrants from Europe. In the year 1664, the Dutch possessions, New-York and New-Jersey, were transferred to Britain, and all the colonies then became the subjects of one government. There were no wars between them—their views were limited to amassing opulence. In 1754, their foreign mistress being involved with France, there was a slight co-operation between the provinces to give efficacy to their respective efforts, but the real germ of union never was sown until 1765, by the resistance of the stamp-act. In '76 they resolved to expire or to flourish together. In '78 articles of confederation were proposed by congress to each state, which, after candid and full discussion, were adopted—in '89 the present constitution was substituted, which removed obstructions, and infused new qualities of attraction. From that period wealth and happiness, the fruit of union, have confirmed our determination to remain for ever one people. Such is the origin of the American republic. Its union is the result of *reason*, sympathy and general interest, not (like the nations of Europe) of compulsion. In the retrospect we see every thing to revive and animate *affection*, nothing that can irritate the pride or pro-

voke the anger of *any one* of its members. If, then, English, Scotch, Welsh, Irish, Danes, Saxons, Normans, bred up to mutual destruction, can soften, assimilate, and be directed by one government, why shall not Americans, who have known each other only as brethren, and have always acted in the same cause, be equally harmonious? History is no light to the future, or our union is not to dissolve, but to augment in vigor, and bear new blessings and new glories.

2. The next truth which we would recal is—that the principles of forming large communities are discovered and developed as society improves.

The preceding facts establish this position. We have seen the the tribe of Clovis become the French nation, the little kingdom of Wessex has grown to the vast dominion of Britain. Among the most powerful of these principles of forming great communities we must enumerate, *commerce, the press, equality of rights,* and *representation.*

Commerce, or the exchange of our respective commodities, has civilized mankind. Our wants make us mutually dependent, and by mutually supplying them, habits of amity and of intercourse are created. By being essential to each other's felicity sentiments of friendship arise, prejudices are removed by intimacy, and the affections expand as our comforts reciprocate. This cementing quality of commerce explains why *domestic* trade always has been and ever should be preferred to foreign. The privations of war must be less, and the strength of the government derived from the union of its members is thus promoted. Now there exists not a country, the different sections of which seem to have been so *planned* for each other, as the United States. The manufactures and marine of the north give life to the prolific agriculture of the south, and without the south they would pine and waste to annihilation. The tendency of this situation to confirm our union has been impressed upon our legislatures. All have concurred that our own manufactures and navigation should be cherished and preferred. The only point of debate has been, how far the exclusion of foreign is necessary to advance the unanimous view. The amazing amount of our tonnage, seamen, and workshops has surpassed the most visionary calculations, and the result on our union is manifest from the indisputable circumstance, that the south and north, that Carolina and New York are more connected now than were the different parts of the same states twenty-five years ago. This powerful band of union therefore exists, and is daily strengthening and enlarging.

The press, we next mention as a miraculous engine to effect uniformity of opinion and of conduct. It has not only overcome the impediment of space by enabling philosophers in the remotest spots of the most distant continents, mutually to enlighten, but it has made the great living converse with the immortal spirits of the great dead.—Washington was the intimate of Cincinnatus, Napoleon of the wondrous Charlemagne. The coalitions of genius, century after century, triumph over the obstacles of nature, give man new powers to extend his schemes and to sublimate his happiness. As knowledge pervades, the soul is liberalized, softened and refined—discord, malice and depravity are banished by philanthropy, and we learn to mitigate and not to embitter the afflictions inherent in our lot. By the press only could whole nations discuss and ascertain their interests—and whenever the right has been admitted *invariably* the interests of that nation have been advanced. Is not our country an unanswerable exemplification? Who would attempt to estimate how much we are indebted to the diffusion of such beneficial productions as that admirable dissertation on our union and system of government in the book called the "Federalist?" We never can know how such works will impart stability to our institutions, by giving new ideas to the rising generation, and by secretly dissolving the hopes of profligate ambition. The interests of America are therefore ensured, for here only has discussion *ever* been *absolutely* unrestrained, and she demonstrates the correctness of the republican tenet that "error may safely be tolerated where reason is left free to combat it."

Equality of rights, by destroying the mortifying distinctions and the real sufferings of a great portion of a community, has ever been succeeded by harmony. Coercing the principle, to trample the mandates of conscience, to regulate his ideas by the mind of another, would justify the belief that government was designed as a diabolical torture. But as social interests are understood, the institutions of fanaticism vanish as the fogs of night before the returning morn, and it is found that government is stable as it is just, and that a people are false only when they are oppressed. By ceasing to injure we cease to hate, and general affection supersedes sectarian abhorrence. Such has been the constant effect of exploding intolerance, and of allowing our fellow beings to think and to act as freely as ourselves. This doctrine has been established by our own history. Several of the colonies, in their infancy, introduced a standard of religious infallibility as the measure of civil rights. A cruel mimickery of the religious establishments of Enrope was exhibited, and dissention, its legitimate offspring, assiduously followed. But in these our nobler days, when toleration is merged in an equal, indefeasible right of conscience and of freedom, the presbyterian, the catholic, the episcopalian, the quaker, knows his fellow-citizen only as his fellow-christian, and his country as his impartially tender parent.

Representation is another efficacious agent. This, if not the invention of modern times, appears certainly with new attributes. To collect the best informed from the inhabitants of every station in life—of every mode of employment—and of every place, is the infallible and the only principle on which the general interest can be discovered. But how can this be effected if the right of election and eligibility is limited? A sagacious minority may adopt plausible and deceptive measures; but their own benefit will be secured, and not the general benefit. Thus to give a fool a million a year to wear a crown and sit upon a throne, and to hire, at public expence, the ecclesiastics of one sect to denounce all others as heretics, is unworthy the rewards of this world or of that to come—consults the dignity and the happiness of the people in a manner which an American is not sufficiently illumined to understand. In the United States all on whom the laws operate are accessary to the formation of the laws; hence those principles are infused which nourish the general interest: Our regulations are the result of reciprocal accommodation—state fraternizing with state smooths away local prejudices, and we are becoming as uniform in national feeling as we are in freedom and blessedness.

The good take delight in dwelling on our unparalleled enjoyments, but express an amiable apprehension that our present system may decay, and all that endears it be lost. But why should science retrocede in politics only? Have we not seen her convert the coasting bark into the capacious mer-

chantman, and guide it in safety from continent to continent—from pole to pole? How magnificent is the mansion she has raised where once the slovenly log-hut was her best production! And shall we doubt that she may erect political edifices that will o'ertop the wretched coverings under which most of our race are now suffering?—The amelioration of man is the design of Providence, and we have been too much favored to dread unkindness hereafter.

3. Another luminous truth which declares the perpetuity of our union is, that in all countries certain opinions become a national feeling and sentiment, and are consecrated by the devotion of the people.

The sanctity of the Roman Catholic religion in Spain and Italy, and the union of church and state in England, are conspicuous illustrations. Now we do assert that the unspeakable importance of the union of the states in the political system of America is not a mere opinion, the result of a dispassionate, cold, survey of our interests, but it has become a national sentiment. An American would as soon reason with an atheist as with the idiot who could not see, or with the traitor who pretended he did not see its *vital* importance. In every discussion all parties have been agitated but by one emotion when it seemed endangered. Was it not to secure this so many relinquished their speculative objections and accepted our present national constitution? Was not this the irresistible argument? Did we not see this sentiment melt all hearts into one during the late glories and trials of *united* America? What but this sentiment is now urging so many patriots of genius—so many noble-minded associations to rear monuments of literature and of art, not to a state, but to the *United* States? Next to the frown of Deity the loss of union would be our most awful visitation. The American will forgive any enemy, but that enemy who would assail the union of the states. Time will invigorate the sentiment, and identify it with our existence.

4. The anticipation of the future grandeur of united America is another unextinguishable cause which will never allow the sentiment of union to be cold. Whilst what has already been accomplished elevates every citizen, yet what will be performed inspires him with enthusiasm. How sweet to the father to tell his son what *he* is to see—how empyrean is the gratification of two enlightened Americans reciprocating their expectations, and glowing over the vision of the great period when, unequalled in population, in arts, in science, and in freedom, their country shall be the wonder and example of mankind. This is our evening theme, it is so much a part of our best feelings, that all the machinations of treason, and all the fiend-like efforts of foreign foes will but infix it more deeply.

Such are some of the reasons on which a patriot may found his belief in the increase and perpetuity of our fame and beautitude. Further consideration would suggest others. Thus we might specify the various improvements calculated to amalgamate the states which are constantly developed. This may be done hereafter, but we should prefer its being done by a better mind, with superior opportunities of information. A more inestimable gift could not be presented the American people than a comprehensive detailed view of each distinct mean to confirm the confederation.

The only causes of dissolution which have ever been mentioned are two, viz. ambitious demagogues will persuade various portions of the people to cast away their freedom, and become slaves of their views; the other, the innate incapacity of any government to answer for a country so immense.

But we have no dread of ambition as we have witnessed its impotence. The Americans have an engine of punishment, more successful than the rack or guillotine—an engine which destroys the crime without injuring the criminal——PUBLIC OPINION. The reputation of Mr. *Shays*, or of the *Hartford convention*, will scarcely lure the ambitious to imitation.

In reply to the other objection: France proves the number, Russia the extent of territory, which one government can superintend. Our political system is preferable to either of those. Like a well-formed army, while congress will direct the general regulations, the state authorities will attend to the minute concerns of the parts—each a distinct duty, but all promotive of one object, the good of the union.

The idea that Americans cannot form one empire, is an old colonial prejudice inculcated by our foreign tyrant to render us more dependent. As we have thrown off her political shackles, let us no longer be oppressed with her senseless doctrines; but, using our own judgment, imbibe and diffuse those opinions which suit a great, free, and wise nation.

British Opinions.

FROM THE LONDON TIMES, APRIL 5, 1817.

The separation of North America from Great Britain, will necessarily expose the empire to farther dismemberments. We cannot calculate on perpetual concord with the United States. Their first war with England made them *independent*—their second made them *formidable*. They have, in consequence of that latter conflict, cultivated with more assured and unbending pertinacity the means and resources both of war and peace. They have now for the first time a standing army,* a moveable militia, and a victorious and resolute marine.—Their next warfare will be offensive, if not against our islands in the western hemisphere, at least against the British possessions on the continent; and who can say how long Canada, with her line of defence so grievously *impaired by the terms of the late treaty*, will be maintainable against the renewed attacks of this ambitious and invigorated republic? We may reckon, therefore, on the instability of our western dominions. For the same reason it becomes a matter of very anxious consideration, how far it would be politic to reinforce a population which may be considered as the garrison of an untenable post. If, indeed, we had a prospect of so far strengthening our possessions in North America as to ascertain their security against all attacks from without, there is little question but that a draught from the disbanded soldiery and unemployed laborers of the united kingdom might be settled in those provinces to advantage. We have already expressed our fears, that under any addition of force which we can bestow upon the Canadas, the defence of them will be most *precarious* in a future contest with the United States. But there is another circumstance of infinite moment—the colonists whom we detach to our own possessions, desert almost invariably to our republican rival. During the late war above 2,000 British soldiers remained (not as prisoners) upon the

*We have always had a small "standing army"—not quite so numerous, however, as our present one. ED. REG.

hostile territory. Emigrations of our settlers take place every year. What the allurements may be, is a subject of conjecture. The fact itself is beyond dispute, that British America suffers a daily loss of its new European population; and that the states of the union draw proportionate accessions of numerical strength from our comparative decline. If we colonize, therefore, it must not be to the western hemisphere, which, from Hudson's Bay to the Straits of Magellan, seems designed by Providence for other nations.

AMERICA.—PRESIDENT'S SPEECH.

London, April 20.—A variety of foreign and domestic intelligence will be found in our columns of this day. We cannot say, however, that there is any part of it, of any peculiar importance to the public. Perhaps the address of Mr. Monroe, upon his inauguration as president of the United States, deserves more consideration than it seems entitled to upon mere perusal. We have never given much credit to persons speaking inaugural orations: they are too studied, to let the real feeling of the composer escape;—they are like showy Birmingham goods—entirely made for sale. If we could believe all that is put forward in this address, we should think the Americans the first people in the world; —we should think that *Mentors* governed, and that every child of the United States was another Telemachus! But we are not so easy of belief.—We have too often been disappointed and deceived by such addresses; and we have too long known how flourishing and courtly nations look in print, whilst poverty and oppression are their melancholy portion, in reality.

With all the distrust, however, which an acquaintance with the quackery of politics, and the knavery of statesmen must inspire, we still can catch through the wilderness a gleam of light, that helps us on, in our road to ascertain the truth. The American government seems desirous to preserve a strict line of amity with foreign powers; at the same time, that they take all those necessary precautions which may secure them from aggression. Their revenue would appear to be in a very flourishing condition; but then the expences of their government are comparatively nothing. We know not how it is, that a republican government can keep their states secure, and afford protection to their people, whilst taxes are unoppressive, and liberty of person and of creed is unrestrained in its exercise. We cannot imagine why monarchical governments should be so particularly expensive; especially, as we have never seen that their people are more happy or more free than those who live under a republic. We are friends to monarchical government, because we think, if properly balanced and administered, it could secure every desirable blessing we might covet. We rather think republics are unsuited to enlarged dominions; or where nations arrive at a certain point of elevation, either commercial or military, or agricultural. Indeed, in Greek and Roman history, we have frequent instances of this truth; and we think, before very many years elapse, that America will add another—to the examples which could be cited. The population is not yet sufficiently dense in America, to have those divisions occur in property and in interests, which operate in other countries; and, of necessity, almost impel them into a monarchical, if not a despotic form of government. But as soon as America becomes a *nation*—as soon as her people bear that proportion to their soil, which those of other countries bear to theirs—as soon as a national taste is formed, and as conflicting interests begin to assume their proper appearances—it will be found that America will become a monarchical, if not perhaps a military and despotic government. We cannot say that our wishes second our observations upon this point. On the contrary, we should wish for the improvement of the world, that America should remain a republic; because, *exteris paribus*, if the least expensive government possess in it equal elements of duration, and afford equal protection of person and of property as a more expensive, the advantages are with the republican form of government, and should therefore be preferred.

America possesses many advantages denied to other countries; and if she act a prudent part towards her brethren of the south, her commerce must improve, and her navy acquire a permanence, which may alter, in the process of time, the situations of many European states. No man can contemplate the situation of America without feelings of superior exultation.—In this country, unhappily, we look upon the Americans as the lees of society, and vainly think that the abuse of Jonathan will secure a pre-eminence to John Bull. The public should be disabused of this erroneous notion. We should watch the progress of other states minutely; where we see their virtues, to copy them; and where we meet their vices—to correct those of a similar nature in ourselves.

Judge Hanson's Opinion,

Delivered in Baltimore county court on the return of a writ of HABEAS CORPUS, *in the case of* JOSEPH ALMEIDA, *who was imprisoned in virtue of a warrant issued by a justice of the peace of the state of Maryland for a supposed breach of a law of the United States.*

The argument in this case had not proceeded very far, before it was manifest to me, that the learned attorney for the United States, was entrammelled in a dilemma, from which all his ingenuity could not extricate him. If a justice of the peace of the state of Maryland, had any legal power to arrest a person charged with an offence against the United States, it follows as a dictate of common sense, that there must, independent of the laws of congress purporting to give jurisdiction to state tribunals, reside somewhere in the state, as an essential component of the sovercign and protecting power it has a right to exercise over and in behalf of all persons within limits, a right of deciding whether or not that arrest was *properly* made; and, consequently, that if Thomas W. Griffith, Esq. had the power of issuing a commitment, this court has the power of ordering a habeas corpus, and upon its return, not only of deciding the sufficiency of the return itself, but of adjudging whether or not the intelligent officer in this case, in issuing his warrant, acted substantially in conformity to the established principles of law, regulating the subject of commitment. To the warrant, in the present case, there is scarcely one among the many objections that have been made to it, which has not been ably and fully sustained. One single material defect is, however, sufficient to invalidate it; and *that* of the omission to make it returnable, at any time, or before any person, affords, of itself, ample reason for quashing all authority derived from it. No proceeding, under the color of law, can be more susceptible of being wrought into an engine of oppressive power, than that of depriving an individual of his liberty, and of consigning him to imprisonment upon an "*ex parte* hearing." Every freeman has a right to be confront-

ed with the witness against him, in all stages of bis accusation; the privilege is inherent, and the right to demand the enjoyment of proving his innocence simultaneous with the first step of prosecution.—Before, therefore, any commitment can be lawfully made, the accused is entitled to an opportunity of shewing, either that the act he is charged with is no crime in the eye of the law, that if any wrong has been done he is not the perpetrator of it, or that however strong the evidence may be against him, the offence alleged is of a class justifying the discharge of his person, upon the production of such bail as may be legally required of him. If the condition of society were otherwise, the time would have arrived ere now, when the occasion and the disposition would have presented themselves of deciding all such questions in a very summary way. These preliminary points being settled, it becomes necessary to decide the main question, in which the whole of the case has resolved itself. That is to say, whether this court has power to commit for an alleged offence against the United States; and going one step further, whether a law of congress can confer any judicial power upon state tribunals?

Although the adjudication of this point devolves upon us the duty of passing upon one of the greatest judicial questions, that of the constitutionality of a law of congress, yet as every court is bound and presumed to know its own jurisdiction, we cannot avoid deciding whether we derive any jurisdiction from the law of the United States, passed in the year seventeen hundred and eighty-nine, organizing the judiciary of the national government; and consequently whether the 33d section, and indeed many other sections are constitutional. Notwithstanding this point has been expressly decided in Virginia and in Ohio, and collaterally in the supreme court of the United States, as may be implied from the scope of the opinions of judges Johnson and Story, as reported by Wheaton, it is with an irresistible awe that I approach it, for should our decision be adverse to the constitutionality, we virtually adjudge, that in this case, although it be a question arising under the constitution of the United States, the supreme court can exercise no appelate jurisdiction, inasmuch as we absolve ourselves from the obligation of sending up the record for their revision; and as so many other of the statutes of congress are dependent for their execution and utility upon the administration of them by state tribunals, the argument "ab inconvenienti" has great weight, and is entitled to the most serious consideration. The law of congress before us, was passed in the year 1789, the first session after the adoption of the constitution; it was proposed, debated and digested by a body of men, the chief and prominent characters of whom were themselves the erectors of our national institutions. It has been acceded to and acted under in this and every other state in the union; it has never been instrumental to any signal grievance, or complained of as a public or private evil; it has on the contrary been resorted to as a useful and salutary regulation; it has saved expense and trouble to the general government without being burthensome to state officers, and there appears a degree of propriety and fitness, that as every individual state and every officer thereof is interested in, so they shall be rendered auxiliary to the execution of laws, made for the benefit and protection of the whole. The law has obviated on the part of the United States, the necessity of scattering at large a host of officers throughout the communities of the different states; it has kept them clear of creatures armed with authority, derived from an executive foreign from and not harmonizing with the state government, subject to regulations in their official capacities to which the people, amongst whom they be placed to reside, would be unused and averse, and susceptible of being made the instruments of power whensoever it might be expedient for the general government to avail itself of engines calculated to propagate its opinions, and to uphold and enforce its measures; or, at least to defeat by confounding the resort to legal remedy, in the heterogeneous process or jarring and conflicting jurisdictions. But, notwithstanding all these considerations, I will proceed as concisely and in as condensed a manner as I am capable, to present my view of the subject. The national government appears to me to stand in relation to the states, as civil society does to the individuals composing it. Both consist of a congregation of surrendered or delegated rights—and in neither case can these conceded powers be enlarged, diminished or returned to the parties granting them, but by their own consent, collected in such manner, in the first case, as the constitution providing for its amendment should prescribe; and, in the second, as the laws of the social compact should direct.

The several independent states have agreed, by the constitution, to invest the judicial power of the United States in one supreme court, and in such inferior tribunals as the congress may from time to time ordain and establish; and then the constitution goes on to define, what is the judicial power of the United States collectively, as a national government, as I understand it, in contradistinction to the judicial pawers of all the states seperately, viz:—The judicial power of the United States, shall extend to all cases in law and equity arising under the constitution—the laws of the United States, and treaties made, or which shall be made under their authority; to all cases affecting ambassadors, and other public ministers; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states, between a state and the citizens of another state, between citizens of different states, between citizens of the same state claiming lands under the grants of different states, and between a state, or the citizens thereof, and foreign states, citizens and subjects. From the word all being used in the first part of the clause, dropped in the middle and again resumed, it has been inferred, that exclusive jurisdiction was not in every case enumerated, delegated to the United States. Be this as it may, the states, beyond all controversy, reserved to themselves some, if not all rights not expressly given away, and having done so, they unquestionably had the power and exercised it, of creating judicial tribunals for the protection of such of those rights, and the administration and exposition of laws passed in regard to them, as they might deem proper; and if they deemed it expedient to leave their citizens without tribunals having authority to afford them remedies in certain cases, and especially those where the United States had clearly jurisdiction, if only concurrent, where exists the power of congress, under the constitution, to compel the states to create such courts, or what is there to prohibit the states from enjoying the exclusive use, for state purposes, of their own courts and civil officers, and of prescribing as a condition of the tenure of office, that they should, as the constitution of Maryland has done, exercise no office of profit or trust under the government of the United States? What rightful power has the congress, after the adoption of the constitution and the investment thereby of

judicial power in the general government, to enlarge, diminish, or return any of its powers to the states? If it had a right to confer any power, what power has it not a right to confer, unless expressly prohibited by the letter of the constitution?—and state tribunals must thus be converted into courts of admiralty and maritime jurisdiction. In fact, if the congress has the power of conferring on them the duty of arresting, of committing, holding to bail or discharging without it, all of which are judicial acts, because they imply an act of judgment and are not mere ministerial duties, it must also possess the power of assigning to them that of trial, conviction and sentence to punishment—Surely it cannot be contended that such authority is derived from the clause that the judicial power of the United States shall be vested in a supreme court and in such inferior courts as the congress may from time to time ordain and establish, and that under this interpretation, state courts may, at the pleasure of congress, without their consent or knowledge, or the sanction of the state under which they act, be converted into United States courts; if such were the case, congress would have nothing more to do, in order to destroy a state judiciary, than to assign to the judges duties under the general government, and as fast as the state of Maryland created courts, congress might prostrate them until its constitution should be altered and its officers allowed to hold offices under the United States. To whom should we then look for the protection of reserved rights? The first section of the court of the United States is clearly prospective: it declares that the judicial power shall be vested in *one* supreme court, not in *a* court as it were already created, but to be created, not in inferior tribunals in existence, but such as congress shall from time to time ordain and establish hereafter; evidently intending these courts to be United States courts, responsible and impeachable by the United States for neglect of duty or the abuse of power, and forming a constituent part of the judicial system of the United States—Again, if congress has power to return to the states judicial powers, or enlarge the power of state courts, why should it not have the power of returning to, or enlarging and diminishing the legislative and executive powers, and if it could assume such power as to all the states, what is to prohibit it from exercising it as to any one or more of them? And thus at once might be frustrated, the wisdom and foresight of our fathers in securing to the small states an equal representation in the senate of the United States with the large ones—by yielding to a majority of congress the power of imparting superiority and predominance to any one or more states by returning to them sovereign, judicial and executive powers conceded to the general government, whilst it withheld them from others—These may be termed extreme cases, but it must be observed, that if the occurrence of such cases had not been slighted and overlooked, many revolutions of government would have been escaped, which have involved in them the servitude and wretchedness of millions. If congress has power to require of the state courts to take cognizance of any matters assigned or relinquished to the supreme and inferior courts of the United States, it surely is not limited as to the extent of this demand; and under such a construction, all the business of the general government might be imposed upon state tribunals, whose judges being thus subjected, it is easily comprehended, would be compelled either to resign their seats upon the bench, or to exact of the state governments, by whom they were employed, an increase of compensation commensurate with the enlargement of their official duties; and the general government, by these means, might be enabled to impose and exact a tax, of any one or more states, in a way unjust and unequal, and never contemplated by the genius of our government, or letter of the constitution. Besides, the constitution of the United States prescribes, that the judges shall hold their offices during good behavior, and shall receive for their services a compensation, not to be diminished during their continuance in office; now the tenure by which state judges hold their offices, it is notorious, varies in almost every state, and, here particularly, it essentially differs from that provided by the constitution of the United States, and civil officers are expressly forbidden to hold any office of profit or trust under the general government; how then, can the congress of the United States, compel them to accept one, for which they shall receive a compensation, not to be diminished during their continuance in office?—Again, the manner of their appointment is totally different—The constitution of the United States requires the judges to be appointed by the president and senate; can it, then, be seriously contended, that congress, by a law can, not only, ordain and establish judical tribunals, convert to its own use state courts, some created since, others in existence before itself was in being, but that it should also forthwith proceed to the appointments of judges thereof, without the consent of the president, the senate, or the judges themselves. Certainly, such a doctrine asserts the power and would have the inevitable consequence to absorb into the general government all state sovereignty, and by thus appropriating and controlling state courts—indirectly to modify, regulate, abridge, invade or destroy the rights and privileges reserved to the states, for the protection of which, they had organized their courts of justice. Have the states any where expressly or by implication delegated any such power to the general government? It has, however, been urged as an argument in support of this motion, that in many cases the state courts and the United States courts, have a concurrent jurisdiction, and that, therefore, the judicial power does not exclusively belong to the supreme and other courts of the United States; and strength is attempted to be given to this idea, from the word *all* not being used throughout, but dropped, when controversies between the United States and any one state are provided for. If there can be any discrimination between *the* judicial power and *all* the judicial power, it may possibly have been, with a view of avoiding any expression that might be construed to take a jurisdiction from the state courts which they had before exercised, to wit, that of deciding claims for, and against the United States, under the old confederation, and which the constitution subsequently expressly reserves to them, that this variation of language was adopted.—But if this proves any thing, it proves too much, (there being no denial, that the national government has power to punish offences against its own laws) for it rather implies, that where the word *all* is used there is no concurrent jurisdiction, and that concurrent jurisdiction existed only in cases where the state courts had a previous cognizance: besides, if the constitution, with a view to the doctrine of reserved rights, gave, or recognized a concurrent jurisdiction, there could be no necessity for the law of congress to give it; and, if the state courts had it not before, and did not get it from the constitution according to the principles I have

endeavored to enforce, they could not obtain it by a law of congress. Whatever doubt, therefore, there may have been as to the jurisdiction in civil cases, with respect to the criminal law of the United States, I can entertain none; for, it is obvious, that previous to the constitution, there could be no criminal jurisdiction of offences against the United States any where; and, if the state courts could subsequently have it, they must derive it from the constitution itself. But this no where appears on the face of the instrument; and, inasmuch as the legislative, executive and judicial powers of the state governments, consists in the reservation of rights not delegated, and cannot in any degree be composed of concessions from the national government, which is itself made up of what the states had parted with, it would be, according to my apprehension, too great an incongruity to construe the right of conferring jurisdiction to be vested by the constitution in congress; and it cannot be too constantly borne in remembrance by the civilian and statesman, that if congress could enlarge or diminish the power of state authorities, it would necessarily follow, that our national government would present the singular anomaly of one co-ordinate branch of a government possessing, as a component part of it, the inherent constitutional means, not only of its own dissolution, but that of undermining the basis of the whole fabric, in the surrender, without the consent of the parties to the contract, who must be either the states or the people, of legislative, judicial and executive functions.

Upon the whole, it appears to me, that every co-temporaneous exposition of the views and considerations of the framers of the constitution—all traditional information of their conferences—and the opinions of enlightened statesmen who have before and since discussed it—carry with them a weight too impressive to be resisted; and that they all concur in converging to the position, that every exercise of control over, or interference with state authorities, on the part of the United States, where the right is not explicitly granted, has a tendency to convert our confederative republic into a consolidated government; and that unless such constructions are guarded against in time, at some day, a popular and ambitious executive might become the "architect of ruin" of the liberties of the people, by attaining a sufficient ascendancy to contract or dilate state powers, according to circumstances; to convert independent sovereignties into vice-royalties, subservient to his mandates; and, in fine, to reduce a state, as it relates to us, into a mere "imperium in imperio," and possessing no more distinct and separate rights, than the mayor and city council of a city could exercise in opposition to the legislature, judiciary and execution of a whole state; and although it may be oppositely said, that state governments, as regards the national government, ought not to be considered as sovereign powers foreign to each other; that they are all parts of the same whole, and that as the people of the states are the people of the United States, the same policy, laws, and process may and ought to pervade and regulate the whole empire, as the same blood which flows into and nourishes the heart, runs through and invigorates every artery and fibre of the body; yet to my mind, the uniformity of a constellation is more illustrative, in which the national sovereignty, whilst performing its evolutions, is revolved round by the states, on their own axis, and in their own orbits, and if in departing from its course it should approach to concussion, with its satelites, they would be jostled and obtruded from their spheres, whilst its own functions would be obstructed, and the order and conformity of the whole system, deranged and destroyed.

I am of opinion, therefore, whatever doubt may exist as to the extent of jurisdiction common to state and United States' courts in civil cases, that state authorities cannot act in any stage of prosecution for offences against the laws of congress.

Manuscript from St. Helena.

From Bell's London Weekly Messenger, of March 31.

As so much of the attention of the public, during the last week, has been directed towards this singular production and its reputed author, and as the manuscript appears to justify the importance assigned to it, we have deemed it our duty to give it a perusal. According to Mr. Warden (a self-sufficient writer, and a foolish one, but an authentic one, as far as he himself appears to be the writer) Bonaparte was much occupied in writing; and the natural purpose of writing is to publish and be read. If Bonaparte, therefore, had thus written his memoir, either in part or in whole, it is no matter of just surprise that it has found its way to the British press. Of his several visitors at St. Helena, there are many who might have brought away with them a letter or packet; and Bonaparte would find no difficulty in procuring persons in England who would undertake and execute the charge of having it published. We do not intend to infer, from what we have said, that there is any thing improper in this act of publishing, or bringing away for the sake of publishing. If there had been any thing libellous, the English law would have had a responsible subject in the bookseller. Let Bonaparte, therefore, be permitted to publish as much as he pleases. It will be an aid to the history of the times, and will bring us better acquainted with a character which has occupied so large a space upon so wide a theatre.

The first singularity in the work (which is only published in French) is the abrupt, and, as it were, passionate style of the writer; a style which has so notoriously the characteristic manner of Bonaparte, as to be an argument neither on the one side nor the other, for the authenticity of the work. In a very foolish book, but a very interesting one, of that French archbishop and intriguer De Pratt, the reader may remember several long conversations of Bonaparte related *verbatim*, and in which may be seen some very striking specimens of this style of the French chief—a style equally characteristic of his temper, and of the quality of his mind. Full of great, and indeed magnificent images—swelling with his conceptions; forgetting the present in a splendid imaginary future; then suddenly awakening to the present difficulty and distress, expressing himself with passionate impatience with respect to all the causes, and in the next moment resolving upon some daring remedy. Such is the manifest character of the mind of Napoleon; and such, as it appears to us, is the style which is employed in the work before us.

The narrative (for such it is) throughout is in the first person. The book is an octavo volume of 150 pages, and the subject is a running commentary upon the principal events, of the military and civil life of Napoleon. Our limits will not admit a lengthened criticism; but we must notice, in passing, one or more of its most striking passages. We begin with the preface, which is bold enough, and short enough.

"I shall write no commentary," says the writer,

(Napoleon, or some one speaking his name.) "The world has seen my reign, and I feel no disposition *d'alimenter a la curiosite publique* (to purvey for public curiosity.) But I shall briefly run over the main events of my life, for two reasons; I care nothing for the present times, but let me stand as I am before my son and posterity.

"This is my motive for writing; I am compelled to resort to an indirect means of rendering this narrative public. Should I send it to the English ministry, it would remain forever in the office which it would first reach."

This is the whole of the preface. The work then commences with a narrative of his early life, his education, &c. but which are all dispatched, each in its turn with a sentence. Some of these condensed members are very striking; some even acute, and all are characteristic. We shall subjoin a few of them.

"I succeeded in every thing, because I resolved to succeed. My will was strong. I looked at the point, and precipitated myself towards it. I carried all difficulties by assault, and as few difficulties are mails of brass, they fell before me. The secret of my success is, that I never hesitated.

"The best part of courage, or rather courage itself, is the will—in a vigorous but decided resolution. But this will, the faculty of thus willing, is not a matter of choice; it is the gift of nature; it is natural firmness." But the French is here so much more expressive than any translation, that we are induced to add it—"*La Volonte depend, au reste, de la trempe de l'individu; il n'appartient pas a chacun d'etre maitre chez lui.*"

"I derived no advantage from any study but the mathematics. I read, indeed, all, because I would not be ignorant of what was known to those around me. But long and methodical arguments of these writers on morals, law, and history, seemed so much beating about the bush; I saw their object at once; in history I wanted only the fact, and in morals I saw the reasons in the book of the world before me. I very early accustomed myself to impress a distinct idea, a picture in full of every subject on my own mind; I then closed my eyes and ears, and examined it, as it were, in the silence and darkness of self reflection. This is the secret of my strong conceptions, which were, in fact, only clear conceptions.

"I was first under fire (when a lieutenant) in a small action with the Genevese. My natural coolness and habit of attentively looking at the affair before me, made me at once a soldier and I date my military ability from that moment. I saw that both parties merely occupied themselves in firing straight forward at each other; and that this mode promised nothing decisive on either side—both parties fighting merely to discharge their duty. I saw a hill at a short distance; I saw that commanded their rear, and I concluded that if I fell on them from that post I should decide the battle. I took a small body of men; I made the movement, and gained the victory. I was made a captain in consequence; but my reason for mentioning it is, that it taught me the art of gaining a victory; and this art consists in being in earnest; in looking attentively upon the point, whilst all others are employed in the noise and bustle of the common detail, and in making some decisive movement which fortune may admit. I require of my soldiers only steadiness in front, till fortune shall throw the cast which affords the opportunity for my play."

"This was my first notion, and always has been and is still, what belongs to a good general. I now became attached to my profession of arms; and sought all books within my reach, and applied them to the system in my own mind, and in what is going on around me. I thus formed my theory of war, and Europe has seen what it is."

He then proceeds to relate his part in the siege of Toulon; it introduced him to the notice and patronage of Barras. Barras was in power, and Bonaparte needed a patron. Each suited the other, and Bonaparte was made a general. In the affair of Sections he regards himself as having merely done his duty. He was called out to disperse the insurgents against the actual government. He obeyed and cleared the streets. The service was regarded to be of great importance, and he was made general of division.

The narrative then proceeds to the several other eras of the life of Bonaparte; his appointment to be general and chief of the army in Egypt, his Egyptian campaign, &c. in all of which it contains most important matter for future history and reflection.—We strongly recommend the work to serious attention, and regret that our limits will not admit of a longer account of what so well merits it.

☞The work referred to in the preceding has been translated and re-published in the United States, and is for sale by our booksellers. It certainly is characteristic and interesting; but we cannot believe it to be the production of the ex-emperor. Mad. de Stael is named as the author of it.

Legislature of New-York.

A LONG DEFERRED ARTICLE.

Report of the joint committee on manufactures.

Mr. Elmendorf, from the joint committee of the senate and assembly, to whom was referred that part of his excellency the governor's speech which relates to domestic manufactures, reported as follows, to wit:

That the return of peace having opened to this country an uninterrupted communication with all the nations of Europe, has held forth such inducements to commercial enterprise as have deluged our country with foreign fabrics. Though it cannot be expected that such a course of things will long continue, at the immense loss which must necessarily be sustained by those concerned in the importation of these articles, it is yet to be feared, that while Great Britain finds her European market circumscribed by the neighboring powers, she will still contrive to throw into our market such quantities of manufactured goods as will altogether suspend the operations of our cotton and woolen manufactories, if not altogether ruin the manufacturer.

Great Britain established her manufactures on the plan of exclusion. She prohibited manufactures from abroad, and invited the manufacturer to her shores—she taxed the living to employ her looms; and to ensure the sale of her products ordained that the dead should be shrowded in woolens; and lest the manufacturing art should travel to other countries, she imprisons the weaver and the artisan who makes an attempt to withdraw from her dominions.

The congress of the United States, at their last session, adopted two very masterly reports, made by their committee of commerce and manufactures. These reports recognised the importance of manufactures, and the policy of protecting them effectually against foreign machinations. "The foreign manufacturers and merchants," said the committee, "will put in requisition all the powers of in-

genuity, will practice whatever art can devise, and capital accomplish, to prevent the American from striking root, and flourishing in their rich and native soil.

"The American manufacturers have good reasons for their apprehensions. They have much at stake—they have a large capital employed and are feelingly alive for its fate. The foreign manufacturers and merchants know this, and will redouble with renovated zeal the stroke to prostrate them. They also know that should the American manufacturing establishments fall, their mouldering piles, the visible ruins of a legislative breadth, will warn all who shall tread in the same footsteps, of the doom and inevitable destiny of their establishments."

Many of these predictions are in a course of fulfilment, notwithstanding the patriotic intentions of the federal government to prevent it. Some of our manufactories are prostrated, and others tottering to their fall. The duty of 25 per cent. if of sufficient amount, is not of sufficient duration to produce confidence in men of capital; as at the end of two years, it is to be reduced to 20 per cent. It can never be expected that large sums of money will be invested in manufactories, while there is a probability they will not receive support.

The distress which has overtaken all classes of society since congress adjourned, evinces the injurious effects of unlimited importations. The farmer and manufacturer, the merchant himself, have felt severely the depression of trade, and the depreciation of their pursuit more especially in the eastern and middle states.

When we consider that much capital had been employed in manufactories—that great inconvenience had been experienced through want of such establishments at the commencement of the late war—when we consider that we have most valuable flocks of merino sheep, and cotton in abundance—that in 1815 there were employed in cotton factories alone, one hundred thousand persons and a capital of forty millions of dollars—that of these 100,000 persons, 66,000 were women and children, (who were of no service in agriculture)—when we reflect that manufactures will be the life of agriculture, by furnishing a market at home, and restore the precious metals from abroad, the committee are strongly induced to believe it to be of the highest importance to mature and defend those institutions in their infancy, which, in their maturity will requite our beloved country by prosperity and comforts, and perfect independence.

New-York has a deep interest in the protection of domestic manufactures, as the late census affirm.—In 1810 they exceeded thirty three millions of dollars; and in 1813-14, must have been more than fifty millions.

This amount of domestic industry we have reason to fear has in a great measure subsided, and can only be revived by affording it full protection, and creating around it a legislative barrier to ward off foreign pressure. This must be done by the general government; and the committee believing that the sense of the people of the state of New-York expressed through their representatives to congress, will receive due attention, respectfully submit the following resolutions:—

Resolved, That our senators in congress be instructed, and the delegates of this state requested, to use their influence, at the present session of the national legislature, to obtain sufficient protection for the infant manufactories of the United States, particularly woolen and cotton, either by a permanent augmentation of the duties upon certain goods, or by a prohibitation of such woolen or cotton goods from foreign countries, as can be supplied by our own manufactures.

Resolved, That the president of the senate, and speaker of the assembly, subscribe the said resolution in behalf of the legislature, and transmit it to our senators and representatives in congress.

The committee further report, that they have not omitted taking into their consideration what advantages our manufacturing establishments might be expected to derive from liberal loans out of the treasury.

On this point they are constrained to be of opinion, under present circumstances, that no such aid, within the extent of the ability of the state, can afford that permanent support which might render them publicly useful, and profitable to the owners.

The great influx of imported cotton and woolen goods forced into our markets by sales at auction, rendered practicable and even profitable in consequence of the extensive frauds practised by shipping them for this express purpose, accompanied with fraudulent invoices, in which they are prised so far below their original cost, as to evade the effect of the duties upon importations. It is in this way, that as well the sale of imported goods as those of our own manufacture, are successfully forestalled in the market, and ruin has thereby been brought to the door of the fair importer, as well as manufacturer. To correct so extensive an evil, an appeal will not be made in vain to the patriotism of the country, for the purpose of introducing into domestic use her own cotton and woolen fabrics; and the committee deem it not unbecoming the immediate representatives of the people, in the legislature, to set the example.

It is with the proudest satisfaction we can state, that our ability to manufacture cotton and woolen, is to the full extent necessary for domestic use: and that we have so far advanced in the knowledge of the art of manufacturing as to equal, in appearance, those imported, while at the same time they are much more substantial for wear; and, with the exceptions of cottons imported from beyond the cape of Good Hope, it is confidently believed, that our own manufactures, especially the woolens, can be afforded for sale in the market for the same prices at which they can be fairly imported.—Therefore the committee recommend the adoption of the following resolution:

Resolved, That it be earnestly recommended to the members of the legislature, and all officers of government of this state, and the members of the senate and house of representatives of this state in congress, to clothe themselves, when acting in their public capacities, in the manufactured goods of our own country; and to take all practicable means to cause them to be extensively introduced into general and domestic use, in preference to those of foreign importation.

The committee also deem it highly expedient in furtherance of their views above expressed, that the buildings and machinery of all cotton and woolen factories should be exempted from taxation; and that all manufacturers, actually employed in manufacturing should be exempted from all militia duty, from working on the public highways, and from serving as jurors in all suits to the value of twenty five dollars or under; and therefore ask for leave to report a bill prepared for that purpose.

There was a great fire at Sag-Harbour on Monday the 26th ult. Houses and other property to an estimated value of 200,000 dollars, were destroyed.

Foreign Articles.

ENGLAND, &c.

A person named Knight, called in the London papers "the celebrated orator for parliamentary reform," was lately arrested near Halifax by a warrant from lord Sidmouth, and lodged in the New-Bailey prison.

The quantity of flax-seed sown in Ireland last year was 54,000 hhds. The supply for the present year is said to be very short.

A large meeting of merchants and others interested, has been held in London for the purpose of petitioning government to prohibit the exportation of cotton yarns.

Ministers have determined not to suffer the act suspending the *habeas corpus* to remain as a dead statute—we hear of 163 persons being arrested at Manchester, 79 at Leeds, &c. &c. &c· 300 were seized in one week at Glasgow and Paisley. These men are carried off at once to jail, and kept *au secret*, as they say in France.

3 per cent. consols, April 23, 72.

A proposition was made in parliament to repeal the duty on salt—Ministers opposed it, for it yielded a million and a half, and carried their point 79 to 70.—☞The British parliament has more than 600 members; here are about one fifth of them deciding a most important question.

Waterloo.—It is said, that in the battle of Waterloo, fifteen thousand men were killed within half an hour in an orchard not exceeding four acres in extent: the ranks being mowed down over and over again, and their places filled up with fresh victims. Fifteen thousand in four acres, is in proportion of a little upwards of 23 to the perch or rod!

FRANCE.

The French officers have subscribed for a monument to the memory of marshal Massena.

SPAIN.

Letters coming into France from Spain are dipped into vinegar at Bayonne, on account of the contagious disorders which rage in some parts of that country.

We have an official notice of a late "horrible conspiracy" at Barcelona, in which many persons of rank were implicated—among them generals Lacey and Milans, *late* patriots and heroes of the revolution. The *horrible crime* of these men consisted in a desire to restore the constitution of the Cortes, which they and the "adored Ferdinand" had solemnly swore to abide by. The account adds that the greater part of the conspirators were imprisoned.

It now seems that some part of the force, so long collecting at Cadiz, has at last sailed for America —10 vessels left there with troops, April 1.

ITALY.

The king of Naples, restored to his throne and still supported upon it by Austria, has yet refused to acknowledge Maria Louisa as sovereign of Parma, &c. Not being willing to relinquish a dormant claim that he supposes himself to have upon that territory as heir of the Farnese family, once princes of Parma. There is a prospect of great crops of corn in Italy.

GERMANY, &c.

It is again said that the king of Prussia is about to open a way for his Polish peasants to gain a portion of freedom. Like those of Russia, they are absolute slaves.

A steam-boat has arrived at Hamburg from Berlin in 35 hours 25 minutes, the distance being 72 leagues. It is destined to ply between these two cities constantly

POLAND.

Kosciusko has declared free, and exempt from all charges or personal services, the inhabitants of his domains in Poland, A few others have followed his example. Our readers will bear in mind that the body of the people of that country are slaves, as much appertaining to the soil as the trees that grow upon it.

SWEDEN.

The king of Sweden has prohibited the importation of all white cotton goods and muslins, except those brought from India in Swedish ships; also porter and wine, except for the church. The motive assigned for this measure, is to keep down the course of exchange.

CHINA.

It is now intimated that the fleet which is fitting out in England is destined for the Chinese coast, to demand of the emperor an apology for some offence he has given, and to claim the occupation, by British troops, of all the strong places on the Canton river! There is something exceedingly *modest* in all this. The offence of the emperor, we believe, is, that he will not have a more intimate connection with the British than with others.

EGYPT.

The plague has raged at Cairo with great fury. But the most extraordinary circumstance from this country is, that it *rained in torrents for four days.* An event like this is not recollected, and it nearly destroyed whole villages; the houses being built of unbaked mud, were washed away. If it had lasted a few days longer it is supposed that half of the city of Cairo would have been destroyed.

FLORIDA.

We see a letter published from *S. B. Gardenier*, to his brother in Ohio, stating that he had joined the patriot service in East Florida, in May last (1816)—that after a hard fight with a superior party of royalists, he was taken prisoner and sentenced to the mines for life. "The mines in the Floridas (says he) were so full of Americans, that he and his party with about 50 more, were ordered to those in South America." But in crossing the isthmus he made his escape, and swam to an English brig called the Syphax, whose captain treated him generously and put him on board a patriot privateer, who landed him at Savannah.

MEXICO.

We have a report that the patriot gen. *Mina* has sailed from Galvestown and was before Tempico, which he intended to attack, being well furnished with artillery, &c. for the purpose. This place is in the vicinity of *Vera Cruz.*

WEST INDIES.

From the 6th to the 17th of March last, *nine hundred and twenty slaves* arrived at Havana from the coast of Africa—and on the 15th of that month there sailed from that port 5 brigs and 5 schooners for the same coast and on the same business!

SOUTH AMERICA.

The provisional government of Pernambuco will soon have a considerable squadron to protect the trade of the place. One brig of 22 guns was already fitted out.

A Spanish schooner from Jamaica for Cuba, valued at $1,500,000 has been captured by a patriot privateer, supposed to be the late Mammoth of Baltimore.

We have the details of the affair between the patriot gen. *Piar*, who commands in Barinas (Venezuela) and the royalist Morillo, on the 18th of February. The royal force consisted of 1000 infantry and 800 cavalry. The cavalry of the former

completely routed the cavalry of the latter and compelled his infantry to retreat to the mountains of Apuse. The royal loss in men and horses, and arms and ammunition was considerable.

Piar also completely routed and defeated a body of royalists near Guayana, consisting of 400 men; of whom he says hardly 50 escaped. He also captured 600 horses, and a large quantity of stores.

The Buenos Ayrean com. Taylor has officially notified Petion of his intention to detain all Haytian vessels, in consequence of his seizure of several Buenos Ayrean prizes. We have a copy of his letter to Petion on this subject—telling him he would wait his answer until the 28th of April; and in the mean time detain all Haytian vessels he met with; which, however, he would give up on receiving a satisfactory answer.

Com. Taylor has also addressed a letter to the insurance offices of the city of New-York, giving an account of his overhauling a Haytian ship whose *bill of lading* exhibited a large cargo, though she had hardly any thing on board. A fraud on the insurance officers was evidently designed—and the commodore deserves the thanks of all honest men for detecting the conspiracy. The vessel was sent back, not being fit for sea; but certain Spaniards that were on board of her were made prisoners of war.

CHRONICLE.

THE PRESIDENT OF THE UNITED STATES

Arrived in Baltimore, on Sunday last, at about 2 o'clock, escorted by the First Baltimore Hussars, and a large concourse of citizens—and after dinner attended Divine service at the first Presbyterian church. Early on Monday morning, accompanied by generals Smith, Stricker, Winder, Swift, &c. he visited the battle ground, where Ross was killed, &c. Sept. 12, 1813; at 11 o'clock he proceeded to examine Fort *Mc Henry* where he received the customary honors; after which he reviewed the 3rd or Baltimore brigade, which acted so conspicuous a part during the war. In the afternoon he visited the Washington and Battle monuments erecting in this city—and towards evening was visited by the officers of the brigade, and many citizens, and received the address of the corporation, &c. He left here early the next morning in the steam boat for Philadelphia.

The pressure of the people that continually surrounded him though grateful to his feelings, inconvenienced him not a little, and has a tendency materially to defeat the objects of his journey; yet we cannot find fault with the people for desiring to see and pay their respects to their chief magistrate.

Mr. Monroe travels as privately as he can, except he were to pass on incognito—his dress and manners have more the appearance of those supposed to belong to a plain and substantial, but well informed farmer, than such as, from our perverted *notions*, are attached by many to a personage so distinguished. When shall we *fully* believe that kings and princes, as well as presidents, are mere men?

ADDRESS.

Baltimore, June 2, 1817.

TO THE PRESIDENT OF THE UNITED STATES.

SIR—We, the mayor and city council of Baltimore, embrace with great pleasure this opportunity of personally congratulating the chief magistrate of the union, on his arrival in this place.

Your determination, in the commencement of your administration, to visit several of the most important places in the union, is auspicious of happy consequences—Not satisfied with previous knowledge, or second hand information, you are anxious that, on your part, nothing shall be wanting to promote the common weal.

That a city which bore so conspicuous a part in the national defence, should first be honored with the presence of the chief magistrate, is flattering as it is natural; and we sincerely hope, that your observation of our position and means of defence may enable us, before another war, to bid defiance to any enemy.

When, sir, we review your long tried, faithful and able services: when we consider the increasing harmony and concord of the United States; when almost universal peace reigns among the nations, we augur great and lasting happiness to the United States, in giving full scope to the developement of her faculties in the arts and sciences, in agriculture, manufactures and commerce: and in the permanent exhibition of the advantages of a form of civil and political governments, superior to any that has hitherto existed.

To our fellow citizens it is a most interesting spectacle, to see the chief magistrate of this great and powerful nation, making an official tour through their country in the style of a private citizen, guarded only by the respect paid to the high station he occupies, and the affections of a virtuous people.

We, sir, wish you, in the sincerity of our hearts, a pleasant tour through the states, a happy return to Washington, a reputation and satisfaction in your presidency equal to any of your predecessors—and finally the reward of a well spent life in an eternal world.

We are, sir, with sentiments of very great respect, your most obedient servants,

GEO. STILES, *mayor of the city of Baltimore*

Answer of the President.

TO THE MAYOR AND CITY COUNCIL OF BALTIMORE.

Fellow Citizens—The sentiments which you have communicated, have afforded me very great satisfaction. They are just, as to the objects adverted to, and to me they are generous and kind.

It was impossible for me to approach Baltimore, without recollecting, with deep interest, the gallant conduct of her citizens, in the late war, and the happy result attending their exertions. The glorious victory which was achieved here, and in which her citizens bore so distinguished a part, at a very important epoch, not only protected this patriotic city, but shed great lustre on the American name.

Experience has shewn our dangers, and admonished us as to the means of averting them. Congress has appropriated large sums of money for the fortification of our coast, and inland frontier, and for the establishment of naval dock yards, and building a navy—It is proper, that these works should be executed with judgment, fidelity and economy—much depends, in the execution, on the executive, to whom extensive power is given, as to the general arrangement; and to whom the superintendance exclusively belongs. You do me justice in believing, that it is to enable me to discharge these duties, with the best advantage to my country, that I have untaken this tour.

From the increased harmony of public opinion, founded on the successful career of a government, which has never been equalled, and which promises by a further developement of its faculties, to augment, in an eminent degree, the blessings of this favored people, I unite with you, in all the anticipations which you have so justly suggested.

In performing services, honestly and zealously intended for the benefit of my fellow citizens, I shall never entertain a doubt of their generous and firm support. Incapable of any feelings distinct from those of a citizen, I can assume no style, in regard to them, different from that character: and it is a source of peculiar delight to me, to know, that while the chief magistrate of the United States acts fully up to this principle, he will require no other guard than what may be derived from their confidence and affection.

JAMES MONROE.

Baltimore, June 2, 1817.

After this interchange of sentiments and feelings, the mayor, in his own and in the behalf of the corporation, cordially invited the president to a public dinner: which he declined on the ground, that it would not be consistent with his previous arrangements for him to accept this public manifestation of their regard. The president, in the most feeling manner, expressed the lively sense he entertained of the civility and attention of his fellow citizens, but was compelled, from motives of public concern, to forego the acceptance of their invitation.

BRIGADE ORDERS. *Third Brigade M. M. June 3d,* 1817. The arrival of his excellency the president of the United States in this city on Sunday, called for an expression of the respect entertained by its citizens for the chief magistrate of the country.

The brigadier general was not disappointed at the alacrity and promptitude with which that call was obeyed by the regiment of artillery, the 5th, 6th, 27th and 39th regiments of infantry, the corps of riflemen, the First Baltimore Hussars, and captain Hanna's company of dragoons. A cheerful and a willing obedience to orders is a characteristic of the third brigade, which the general has often had occasion to notice and applaud—their appearance and number (considering but a few hours notice could be given) did honor to the occasion which required their services.

By order of general STERETT.

GEO. WINCHESTER, *Brigade Major.*

George M. Bibb, esq. of Georgia, has been appointed governor of the new territory of *Alabama.*

Spanish vice consul at New-Orleans. We noticed the rencontre between this man and a Mexican officer at New-Orleans, some time ago. In consequence he has issued the following notice, dated "Spanish consulate, New-Orleans, May 1"—"*Don Diego Morphy,* vice consul of his Catholic majesty for the state of Louisiana, notifies the public, that being fully convinced that in this city that protection is not granted to him *which is due to him,* not only in his quality of a public officer acknowledged by the president of the United States, but also *as an individual,* he sees himself with regret under the necessity of *ceasing* his consular functions, until *justice is done him* and he shall have received orders from his government."

The *Boston Chronicle* and *Patriot* are merged into one paper, to be published daily by Mr. D. C. Ballard, editor of the latter, under the title of the "Independent Chronicle and Boston Patriot." The enlarged field thus given to exercise the talents and industry of Mr. Ballard, will, no doubt, be improved to its utmost extent.

Steam boats. A steam boat called the Constitution (late the Oliver Evans) burst her boiler nearly opposite St. Francisville, on the Mississippi, by which every person in the cabin, 11 in number, at breakfast, were scalded to death.

Such dreadful accidents may go so far to reduce the confidence of the people in these invaluable boats (under proper management) as to destroy a great part of their usefulness. Those who are conversant with the subject assert that such accidents always come out of carelessness. How sober and discreet ought they to be who have charge of machinery capable of accomplishing such terrible mischief in a moment!

Specie.—We still have many arrivals with specie from Europe and the West Indies—but the banks yet keep it scarce.

Massachusetts election, for governor, official returns.—For gov. Brooks 45,106; for gen. Dearborn 38,130; scattering 206.

HESSIAN FLY. It appears, by many certificates of respectable gentlemen in Virginia, that for several years past they have cultivated a species of wheat, called by them the "Lawler wheat," that effectually resists the attack of the Hessian fly—this wheat was originally brought from Chester county, Pen. where it bore the name of Jones' white wheat. This is really an important matter, and the fact appears to be undoubtedly established. The gentlemen who certify its fly-proof qualities, from their own experience, reside in the neighborhoods of New Baltimore and Buckland, Va.

Cotton. We hear of frequent frauds in the package of cotton, in the south. The legislatures of the cotton growing states ought to protect the character of their great staple.

Banks. The banks of Kentucky have resumed specie payments. The governor of Indiana has recognized the bank of Vincennes as the state bank. A bank to be called the bank of Illinois, is to be established at Shawanoe-town—capital 300,000.

Batavia, May 4.—One of the most singular circumstances, recorded in the history of accidents, occurred in the town of Middlebury, in this county, on the 16th inst. and exhibits, in the hero of misfortune, a mind excelling in the cool, deliberate, and determined virtues. The subject is as follows: Artemas Shattuck, on that day, in a piece of chopping that he was clearing, fell a tree across a stump, in which situation it remained nearly balanced, the top, however, buoyed up the but; while thus suspended, he undertook to cut the tree in two near the stump upon which it was lodged, and while standing upon it for that purpose he cut so much more upon the upper than the under part of the tree that the weight of the butt caused it to split, and at the instant of the greatest vibration or separation of the severed parts, his foot slipt into the cavity of the opening timber, and remained as firmly fixed as in a vice;—he fell immediately backwards, in which fall he lost his axe, but soon recovered a position that enabled him to hold upon the tree by one hand, with the other he drew out his pocket-knife and cut a limb with a hook attached to it with the intention of drawing up the axe and cutting the tree to liberate his foot, but soon found his efforts fruitless. He next tried to break his leg, as that would have enabled him to turn his body in a position to sit upon the tree and wait the lingering hour of assistance; but his position prevented even the gratification of this harsh relief. Finding his strength failing fast, and no prospect of timely relief, (as no human assistance was withing three quarters of a mile) he adopted the only alternative that remained of saving himself from the hard and horrible death of expiring while suspended in the air, with his head down and his feet up.—With his penknife he deliberately severed his foot from his leg at the ancle joint, and

on his hands and knees bent his course for home. In this posture he crawled a full half mile before his calls for assistance were heard, and twice had to deviate several rods from a direct line to a rivulet to quench his raging thirst.—We are happy to state that he is like to do well.

Somerset notes—Gentlemen at a distance have supposed that they accommodated the editor of the WEEKLY REGISTER by forwarding the bills of the *Somerset bank*, in this state, in payment of their dues. One person, in his zeal to serve us, gave 3 per cent. premium in the notes of a bank of his vicinity, that would have been, at least, *fifteen* per cent. better here than those of Somerset, which now have little, if any, circulation amongst us, and I do not know that they can be disposed of at *twenty-five per cent.* discount. It follows, that we cannot consider them as money.

Richmond inspections, for six months, ending April 30—102,924 barrels superfine flour; 340 half do. do; 12,035 bbls. fine, do; 1,796 do. X middlings; 213 do. do; 245 do. s. stuff; 256 do. condemned—total 17,809.

Mobile promises soon to become a place of much trade. The imports, coastwise, were valued at a million of dollars for the last year—1700 bales of cotton were shipped there in the last six months, and a like quantity remained to be shipped.

Mammoth vegetables, &c. Letters are published from an officer of the U. S. army stationed at Fort Osage, which seriously state that they have raised *cabbages* there which were sixteen feet in circumference; a *beet* that was 2 feet 4½ inches in circumference, and two feet 4½ inches in length, weighing 13 ¾lb.—a *pumpkin*, 14½ feet in circumference, and weighing 172 lb. with 4 others on the same vine that weighed more than 100 pounds each; and a *turnip* that weighed 17 lb.

The same letters announce the discovery of a large number of bones, not far from the bank of the Quicaurrie river, 150 or 160 miles from its confluence with Missouri, and about 925 from Fort Osage, which are supposed to have belonged to the mammoth. The shoulder blade is described as being 4 feet long and 3 broad.

The legislature of Connecticut has closed a more lively and spirited session than any had in that state for several years. But the council generally opposed itself to the reformations proposed and carried in the house of representatives. "Every bill, (says the Hartford Times,) which passed the house, intended either to remove popular complaints or redress public grievances, was neglected by the council." The majority of the house of representatives have published an address "to the friends of toleration and equal rights," which shall appear in our next.

The two men sentenced to be hung for negro stealing in North Carolina, have had their punishment commuted to an imprisonment in a dungeon for 12 months.

A girl at Brookville, Indiana, only 17 years old, is said to weigh 335 lbs.

Noah Webster jun. has sold the copy-right of his *spelling book* for 40,000 dollars, to Messrs. G. Godwin and sons, of Hartford, Con.

The yellow fever is dreadfully raging at Havanna. Vessels from that port arriving at Savannah, are to be examined by the health officer, &c. A vessel has arrived at the Philadelphia lazaretto from Guadaloupe, which lost four of her crew on the passage.

The ship Mercury arrived in the Chesapeake, last week, in *eight* days from the Balize.

Ingenious invention.—A young gentleman of this city, about ten days ago, showed the editor the drawing of an apparatus, to be attached to a gas lamp, which being once lighted, supplies itself with the gas, at once generating and consuming it; no matter what the substance, coal or resin, &c. Of its success we have no doubt. We understand he is now constructing one. *N. Y. Col.*

Marshal Massena.

This distinguished officer has recently died at Paris. The following account of him is from the Moniteur of the 6th April.

"Andrew Massena, prince of Essling, duke of Rivoli, grand cross of the royal order of the legion of honor, commander of the royal and military order of St. Louis, &c. &c. was born at Nice, on the 8th of May, 1758, and died in the hotel at Paris, in the street de Bourbon, on the morning of the 4th of April, after a long and excruciating illness.

"After having at an early period of life served three years at sea, he entered into the army of France during the year of 1775, when he joined the royal Italian regiment, in which his uncle was captain.

"He successively became commander of the second battalion of the Var, colonel of the ci-devant regiment of la Sarre, and a general of brigade and of division in 1798. The ensuing year he commanded a body of 20,000 men, charged with the expedition of Onello, and the taking of Saorgio; he afterwards almost uniformly commanded the advanced guard of the army of Italy, took the principal part in its movements, and acquired the epithet of the cherished child of victory!

"Hostilities recommencing in 1799, he, as commander of the army of the Danube, made that memorable campaign which the battle of Zurich rendered at once so decisive and glorious; of which 70,000 prisoners were the trophies, and where he contended with those two great generals prince Charles and marshal Suwaroff. He immediately afterwards took upon himself to conduct the wreck of the army of Italy, and acquired new reputation by the defence of Genoa, where his heroic bravery a second time conquered Italy.

"After having sat in the legislative assembly as deputy for the department of the Seine, he commanded the new army of Italy, in the campaign of 1805, and penetrated with it into Germany. He was after this entrusted with the conquest of the kingdom of Naples, whence he was called into Poland, and returned to France on the peace of Tilsit.

"In 1809, war again summoned him to the plains of Germany, where, after several honorable actions, he received, upon the field of Essling, the title of prince, having there sustained the shock of the enemy's right, and thus saved the French army by his manœuvres and his judgment. He afterwards bore a brilliant part in the battle of Wagram, during which, although sick and wounded, he was seen at the head of his troops, whom he animated by his example.

"His military career ended with the command of the army of Portugal, in 1810 and 1811, and where he again displayed the firmness of his character, in the midst of those difficulties which he surmounted. He has left a widow, two sons, and a daughter, who is married to the lieut. general the count Reille, his eleve, and aid-de-camp since 1793."

NILES' WEEKLY REGISTER.

No. 16 of Vol. XII.] BALTIMORE, SATURDAY, JUNE 14, 1817. [whole No. 302.

Hæc olim meminisse juvabit.—Virgil.

PRINTED AND PUBLISHED BY H. NILES, AT THE HEAD OF CHEAPSIDE, AT $5 PER ANNUM.

Revolutionary Pamphlet.

Quincy, May 25, 1817.

Sir—Thanks for your favour of the 13th, and the return of the pamphlet with a copy.

You revive me, when you assure me, that "the original principles of the revolution are "coming again into fashion; and that foreign "feelings are giving way to a national charac-"ter."

As you are "zealous to help on the latter," I should be happy, if I could, to help you.

As doubts and questions are easily started upon almost every political subject, many be raised concerning "the principles of the revolution," as well as concerning "a national character."

The enclosed pamphlet may shew the sense in which some people understood those principles.

The story of it is this. A series of political essays were published by me, in the Boston Gazette, in the latter part of December, 1774 and the beginning of 1775, over the signature of Novanglus. Those news-papers went of course to England, as all American papers at that time did, and fell into the hands of Almond, the bookseller, who printed them in a volume of "prior documents," as a supplement to his Remembrancer, for the year 1775. From that copy they were reprinted by Stockdale, who had been an apprentice of Almond, in 1784, in the form of the pamphlet enclosed.

Whether it is consistent with your plan to make any use of it or not, I know not. but you may do what you will with it, as well as with this letter, provided you return the pamphlet to me; a favour which I am obliged to ask, because I have no other copy, and because I know of no other copy, but one, in America, and that is in Connecticut.

I am, sir, your obliged servant,

JOHN ADAMS.

Mr. Niles.

The pamphlet alluded to is entitled "History of the dispute with America; from its origin in 1754. Written in the year 1774. By John Adams, esq."

It is not easy, by extracting a passage here and there, to do justice to this patriotic work, and it is too long for entire insertion, making about 90 pages. But the following may partially effect our purpose. There is a freedom of remark and boldness of expression that cannot fail to claim the admiration of every one that throws his mind back to their period, and considers the power to which they were opposed.

The character of *Bernard* and the tory junto at Boston, is thus drawn:

"Bernard was the man for the purpose of the Junto—educated in the highest principles of monarchy, skilled enough in law and policy to do mischief, avaricious, and needy at the same time, having a numerous family to provide for—he was an instrument suitable in every respect excepting one, for this Junto to employ. The exception I mean was blunt frankness, very opposite to that cautious cunning, that deep dissimulation, to which they had by long practice disciplined themselves. However, they did not despair of teaching him this necessary artful quality by degress; and the event shewed they were not wholly unsuccessful in their endeavors to do it."

Among other designs of the ministry these are mentioned, and supported by proofs from gov. Bernard's letters—

"They intended further to new model the whole continent of North America; make an entire new division of it into distinct, though more extensive and less numerous colonies; to sweep away all the charters upon the continent, with the destroying besom of an act of parliament, and reduce all the governments to the plan of the royal governments, with a nobility in each colony, not hereditary indeed, at first, but for life."

After noticing the letters of gov. B. the writer says—

"Now let me ask you—if the parliament of Great Britain had all the natural foundations of authority, wisdom, goodness, justice, power, in as great perfection as they ever existed in any body of men since Adam's fall: And, if the English nation was the most virtuous, pure, and free that ever was, would not such an unlimited subjection of three millions of people to that parliament, at three thousand miles distance, be real slavery? There are but two sorts of men in the world, freemen and slaves—The very definition of a freeman, is one who is bound by no law to which he has not consented. Americans would have no way of giving or withholding their consent to the acts of this parliament; therefore they would not be freemen. But, when luxury, effeminacy and venality are arrived at such a shocking pitch in England; when both electors and elected are become one mass of corruption; when the nation is oppressed to death with debts and taxes, owing to their own extravagance, and want of wisdom, what would be your condition under such an absolute subjection to parliament? You would not only be slaves—but the most abject sort of slaves to the worst sort of masters!"

Exhorting his fellow citizens, Mr. A. observes—

"The grand aphorism of the policy of the whigs has been to unite the people of America, and divide those of Great Britain. The reverse of this has been the maxim of the tories, viz. to unite the people of

Great Britain, and divide those of America. All the movements, marches and counter-marches of both parties, on both sides of the Atlantic, may be reduced to one or the other of these rules. I have shewn that the people of America are united more perfectly than the most sanguine whig could ever have hoped, or than the most timid tory could have feared. Let us now examine whether the people of Great Britain are equally united against us. For, if the contending countries were equally united, the prospect of success in the quarrel would depend upon the comparative wisdom, firmness, strength, and other advantages of each other. And, if such a comparison was made, it would not appear to a demonstration that Great Britain could so easily subdue and conquer. It is not so easy a thing for the most powerful state to conquer a country a thousand leagues off. How many years time, how many millions of money did it take, with five and thirty thousand men, to conquer the poor provinces of Canada? And after all the battles and victories, it never would have submitted without a capitulation, which secured to them their religion and properties."

Again—

"In a land war, this continent can defend itself against all the world. We have men enough; and those men have as good natural understanding, and as much natural courage as any other men. If they were wholly ignorant now, they might learn the art of war. But at sea, we are defenceless. A navy might burn our sea-port towns. What then? Three hundred and fifty thousand land-holders will not give up their rights, and the constitution by which they hold them, to save fifty thousand inhabitants of maritime towns. Will the minister be nearer his market, after he has burnt a beautiful town, and murdered thirty thousand innocent people? So far from it, that one such event would occasion the loss of all the colonies to Great Britain for ever. It is not so clear that our trade, fishery and navigation could be taken from us. Some persons, who understand this subject, are of a different opinion. They think that our trade would be increased.

Further—

Obsta principiis—Nip the shoots of arbitrary power in the bud, is the only maxim which can ever preserve the liberties of any people. When the people give way, their deceivers, betrayers, and destroyers, press upon them so fast, that there is no resisting afterwards. The nature of the encroachment upon the American constitution is such, as to grow more and more encroaching. Like a cancer, it eats faster and faster every hour. The revenue creates pensioners, and the pensioners urge for more revenue. The people grow less steady, spirited and virtuous, and the seekers more numerous and more corrupt, and every day increases the circles of their dependants and expectants, until virtue, integrity, public spirit, simplicity, frugality, become the objects of ridicule and scorn; and vanity, luxury, foppery, selfishness, meanness, and downright venality, swallow up the whole society."

"There is not in human nature a more wonderful phenomenon, nor in the whole theory of it, a more intricate speculation, than the shiftings, turnings, windings and evasions of a guilty conscience."

Justifying the refusal of the Americans to pay taxes, there are the following remarks—

"We have much more to say still. Great Britain has confined all our trade to herself. We are willing she should, as far as it can be for the good of the empire. But we say that we ought to be allowed as credit, in the account of public burdens and expences, so much paid in taxes, as we are obliged to sell our commodities to her cheaper than we could get for them at foreign markets. This difference is really a tax upon us for the good of the empire. We are obliged to take from Great Britain, commodities that we could purchase cheaper elsewhere. This difference is a tax upon us, for the good of the empire. We submit to this cheerfully, but insist that we ought to have credit for it, in the account of the expences of the empire, because it is really a tax upon us.—Another thing. I will venture a bold assertion: The three million Americans, by the tax aforesaid, upon what they are obliged to export to Great Britain only, what they are obliged to import from Great Britain only, and the quantities of British manufactures, which in these climates they are obliged to consume, more than the like number of people in any part of the three kingdoms, ultimately pay more of the taxes and duties that are apparently paid in Great Britain, than any three million subjects in the three kingdoms.—All this may be computed, and reduced to stubborn figures by the minister, if he pleases. We cannot do it. We have not the accounts, records, &c.—Now let this account be fairly stated, and I will engage for America, upon any penalty, that she will pay the overplus, if any, in her own constitutional way, provided it is to be applied for national purposes, as paying off the national debt, maintaining the fleet, &c. not to the support of a standing army in time of peace, placemen and pensioners, &c."

On the political principles of the people, he says—

"It is true, that the people of this country in general, and of this province in special, have an hereditary apprehension of, and aversion to lordships temporal and spiritual. Their ancestors fled to this wilderness to avoid them; they suffered sufficiently under them in England; and there are few of the persent generation who have not been warned of the danger of them, by their fathers or grandfathers, and enjoined to oppose them.

"It is curious to observe the conduct of the tories towards the clergy. If a clergyman preaches against the principles of the revolution, and tells the people, that upon pain of damnation they must submit to an established government, of whatever character; the tories cry him up as an excellent man, and a wonderful preacher; invite him to their tables, procure him missions from the society, and chaplainships to the navy, and flatter him with the hopes of lawn sleeves. But, if a clergyman preaches Christianity, and tells the magistrates, that they were not distinguished from their brethren for their private emolument, but for the good of the people; that the people are bound in conscience to obey a good government, but are not bound to submit to one that aims at destroying all the ends of government—oh sedition! treason!

The clergy in all ages and countries, and in this in particular, are disposed enough to be on the side of government, as long as it is tolerable: If they have not been generally in the late administrations on that side, it is a demonstration that the late administration has been universally odious."

"Nero murdered Seneca, that he might pull up virtue by the roots; and the same maxim governs the scribblers and speechifyers on the side of the minister. It is sufficient to discover, that any man has abilities and integrity, a love of virtue and liberty; he must be run down at all events. Witness Pitt, Franklin, and too many others."

The following is full of the spirit of the times:

"But what a pity it was, that these worthy gentlemen could not be allowed, from the dearest affection to their native country, to which they had every possible attachment, to go on in profound confidential secrecy, procuring troops to cut our throats, acts of parliament to drain our purses, destroy our charters and assemblies, getting estates and dignities for themselves and their own families, and all the while most devoutly professing to be friends to our charter, enemies to parliamentary taxation, and to all pensions, without being detected! How happy! If they could have annihilated all our charters, and yet have been beloved, nay deified by the people, as friends and advocates for their charters. What masterly politicians! To have made themselves nobles for life, and yet have been thought very sorry that the two houses were deprived of the privilege of chusing the council. How sagacious, to get large pensions for themselves, and yet be thought to mourn, that pensions and venality were introduced into the country!—How sweet and pleasant! To have been the most popular men in the community, for being staunch and zealous dissenters, true-blue Calvinists, and able advocates for public virtue and popular government, after they had introduced an American episcopate, universal corruption among the leading men, and deprived the people of all share in their supreme legislative council! I mention an episcopate; for although I do not know that governors Hutchinson and Oliver ever directly solicited for bishops, yet they must have seen, that these would have been one effect very soon, of establishing the unlimited authority of parliament."

The character of *Hutchinson* is thus drawn:

"This gentleman was open to flattery in so remarkable a degree, that any man who would flatter him was sure of his friendship, and every one who would not was sure of his enmity. He was credulous in a ridiculous degree, of every thing that favored his own plans; and equally incredulous of every thing which made against them. His natural abilities, which have been greatly exaggerated by persons whom he had advanced to power, were far from being of the first rate. His industry was prodigious. His knowledge lay chiefly in the laws, and politics, and history of this province, in which he had a long experience. Yet with all his advantages, he never was master of the true character of his native country, not even of New-England and the Massachusetts bay.—Through the whole troublesome period since the last war, he manifestly mistook the temper, principles, and opinions of this people. He had resolved upon a system; and never could or would see the impracticability of it."

Speaking of the salaries paid to certain officers of the crown, Mr. A. says—

"Low as the wages were, it was found that whenever a vacancy happened, the place was solicited with much more anxiety and zeal than the kingdom of Heaven."

The business of the tea at Boston is mentioned as follows—

"Boston is the only place upon the continent, perhaps in the world, which ever breeds a species of Misanthropos, who will persist in their schemes for their private interest, with such obstinacy, in opposition to the public good; disoblige all their fellow-citizens for a little pelf; and make themselves odious and infamous, when they might be respected and esteemed. It must be said, however, in vindication of the town, that this breed is spawned chiefly by the Junto—the consignees would not resign; the custom-house refused clearances; governor Hutchinson refused passes by the castle. The question then was, with many, whether the governor, officers and consignees should be compelled to send the ships hence? An army and navy was at hand, and bloodshed was apprehended. At last, when the continent as well as the town and province, were waiting the issue of this deliberation with the utmost anxiety; a number of persons, in the night, put them out of suspense, by an oblation to Neptune."

"If Boston could have been treated like other places—like New-York and Philadelphia, the tea might have gone home from thence as it did from those cities. That inveterate, desperate junto, to whom we owe all our calamities, were determined to hurt us in this, as in all other cases, as much as they could. It is to be hoped they will one day repent, and be forgiven; but it is very hard to forgive without repentance. When the news of this event arrived in England, it excited such passions in the minister as nothing could restrain; his resentment was kindled into revenge, rage and madness; his veracity was piqued, as his master-piece of policy proved but a bubble: The bantling was the fruit of a favorite amour, and no wonder that his natural affection was touched, when he saw it dispatched before his eyes.—His grief and ingenuity, if he had any, were affected at the thought that he had misled the East-India company, so much nearer to destruction, and that he had rendered the breach between the kingdom and the colonies almost irreconcileable; his shame was excited because opposition had gained a triumph over him, and the three kingdoms were laughing at him for his obstinacy and his blunders: Instead of relieving the company, he had hastened its ruin: Instead of establishing the absolute and unlimited sovereignty of parliament over the colonies, he had excited a more decisive denial of it, and resistance to it.—An election drew nigh, and he dreaded the resentment even of the corrupted electors."

The necessity of union is thus pointed out—

"If we recollect how many states have lost their liberties, merely from want of communication with each other, and union among themselves, we shall think that the committees of correspondence may be intended by Providence to accomplish great events. What the eloquence and talents of Demosthenes could not effect, among the states of Greece, might have been effected by so simple a device. Castile, Arragon, Valencia, Majorca, &c. all complained of oppression under Charles the fifth; flew out into transports of rage, and took arms against him—But they never consulted or communicated with each other. They resisted separately and were separately subdued. Had don Juan Padilla, or his wife, been possessed of the genius to invent a committee of correspondence, perhaps the liberties of the Spanish nation might have remained to this hour."

These are the most material things that bear upon the subjects that induced Mr. Adams to honor the editor with the loan of his pamphlet—it is chiefly what its title purports to be, a "history of the dispute;" and to the historian wishing to dive into the minute matters of the revolution, is of great value.

Ross' arms and Parker's monument.

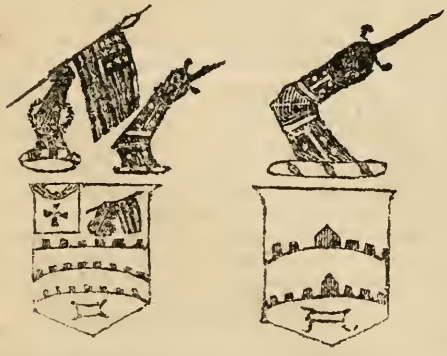
A gentleman of the first distinction has furnished the editor of the REGISTER, with an authentic copy and description of the coat of arms granted to the family of gen. Ross, and shewing the "honorable augmentations" made thereto by the approbation of the prince regent; and of the inscription on the monument lately erected to the memory of sir PETER PARKER, at Westminster Abbey. They may be relied on as authentic—the former being copied at the Herald's office from the original designation and record, and the other taken on the spot by the hand of an honorable American, who forwarded them to his friends in the United States as curiosities.

On communicating these—the gentleman, with regard to sir *Peter's* monument, observes "as your "REGISTER is as likely to be referred to by posterity "for the character and conduct of the principal actors in the late contest between our country and "England as the tomb-stones of *Westminster Abbey*, I "leave it to your judgment to determine if it would "be doing more than common justice to ourselves "to give it a place in your work, accompanied with "such facts as belong to the case," &c. The like remarks apply equally to the "honorable augmentations" to the arms of the family of general *Ross*, and we enter fully into the feelings of the gallant officer who sent us the copies of them—considering it as a "dastardly disposition" thus to attempt bolster up the fame of the deceased by the degradation of our country.

We war not with the dead—whatever we might have thought of *Ross* and *Parker*, living, they have paid the great debt that they owed to nature and to the United States, and let them rest in peace. Nor can they be affected by any thing to be said of them now; but their officious friends are not entitled to such forbearance. The "STAR SPANGLED BANNER" shall not be so easily disposed of by the *Guelphs*; nor shall falsehood wrest from a brave yeomanry their well-earned reward—if we can help it.

COATS OF ARMS OF THE FAMILY OF GEN. ROSS.

[The second cut represents the original coat of arms of the family of *Ross;* the first shews the augmentations, accompanied by an heraldic account of the same]



MAJ. GEN. ROBERT ROSS,
Died August 4, 1814;
Slain at Washington, in America, commanding his majesty's troops.
His widow and descendants to be called
ROSS OF BLADENSBURGH.

DAVID ROSS,
OF ROSS TREVOR LE DOWN,
ESQUIRE,
FATHER OF GENERAL ROSS.

DESCRIPTION OF THE ARMS.

Per fess embattled argent and or, in chief issuant a dexter arm embowed vested gules, cuff azure, encircled by a wreath of laurel, the hand grasping a flag-staff broken in bend sinister, therefrom flowing the colors of the UNITED STATES OF AMERICA proper, in base the arms of Ross, of Ross Trevor, on a canton of the third pendent from a ribbon, a representation of the cross presented by command of his majesty to the late major-general in testimony of this royal approbation of his services, with the motto BLADENSBURGH, and for a crest of honorable augmentation in addition to the crest of the family of Ross of Ross Trevor, the following, that is to say, on a wreath of the colors out of a mural crown or, a dexter arm grasping the colors as in the arms.

☞Can it be possible that the British are so ignorant of the facts as to believe that gen. *Ross* was killed at WASHINGTON, and on the *fourth* of *August* 1814?—No—no—it is impossible; but, by coupling his name with "*Washington*," they hoped to gratify a pride as mean in its practice as it is *false* in its principle. The affair at *Bladensburg* took place on the 24th of that month, and every body knows that the general was killed near BALTIMORE, on the *twelfth day of September*, 1814. But this "would not tell well in history"—and the glories of *Washington* were to be made a channel for those of the wanton destroyer of "costly monuments of taste and of the arts,"* "depositories of the public archives, not only precious to the nation as memorials of its origin and its early transactions, but interesting to all nations, as contributions to the general stock of historical instruction and political science†."

That general *Ross* was a brave man, no person will be disposed to deny; and that he was a "dashing" officer must be admitted from the character of his attack at Bladensburgh—and here his merits, if these things are merits, appear to have an end, for his after-conduct was barbarous; belonging to ages long past, and without a parallel in the history of modern wars. Most of the capital cities of Europe have latterly been captured and recaptured, and among the whole we have not one solitary case to compare with the proceedings of gen. Ross at Washington city. But it may be said he had orders to "destroy all places assailable"—this is no excuse; his government had no right to convert a military officer into a house-burner. He might have found an example in the conduct of the French general who told one of the *merciful* BOURBONS, many years ago, that he was always ready to fight and would do all that he could to defeat, the king's enemies in the field—but if an assassin were wanted, they must employ some one else; he was not fitted for such an office, nor was the office fitted for him.

That general *Ross*, after the burning of Washington, intended also to have burnt *Baltimore*, is unanimously admitted—that such was his design, we believe, has never been doubted. But it is useless to comment on these things. They are calculated only to rouse feelings which, though they ought not to be forgotten, should be allayed. The general as justly died for his offences against the

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*It is worthy of remembrance, that in the highest *fury* of the French revolution, and at times when the most unprincipled men had sway, that orders were given to preserve the "monuments of the arts," even though they pertained to kings.

†Proclamation of the president, Sept. 1, 1815.

laws of nations, as ever did a poor solitary individual for violating those of his particular country—if instead of the crest, "a flag staff broken, therefrom flowing the colors of the United States of America," the regent had ordered a representation of the *capitol* with the *library*, &c. in flames, *we* should not have objected to it: and we think that he more truly deserved the latter than the former.

Inscription on the monument of sir Peter Parker, at Westminster Abbey.

In the pious hope of a glorious resurrection,
Pursued through virtue, faith and valor,
HERE LIES INTERRED THE MORTAL REMAINS OF
SIR PETER PARKER, BARONET, AGED 28 YEARS,
Captain of his majesty's ship Menalaus.
An accomplished officer and seaman,
Who, after landing with part of his crew, on the coast of America,
Defeated an enemy, *supported* by *cavalry & artillery*,
THREE-TIMES the number of HIS OWN FORCE;
And, in the *moment* of victory, received a mortal wound,
Under which he continued to cheer his men to *follow* up their *triumph*,
Until, sinking under its fatal result,
He fell into the arms of the *companions* of his *glory*,
And surrendered, on the field of battle,
His own gallant spirit to the mercy of Heaven.
He closed his career August 3, 1814.
THE OFFICERS AND CREW, ON THEIR RETURN,
ERECT THIS MONUMENT,
As a testimony of their grief for his loss, and respect for his character and merits.

☞Poor Sir *Peter*—he little expected thus to be "made fun" of after his death, though he dearly loved a "frolic" while living, and, uselessly to his country, lost his life in consequence of one. The facts are these—

The Menalaus frigate had been for a considerable time near the head of the Chesapeake bay [not on the *coast* of America] committing the most disgraceful and most contemptible depredations on the people near its shores—destitute of any national object and only derogatory to the character of her officers and crew; among which were the burnings of cottages, after plundering the poor inhabitants of their few goods, and destroying all that they did not see proper to carry away—a species of warfare such as we might expect only from Algerines. When things were ripening for the attack upon *Baltimore*, he was ordered down the bay; but before he obeyed he resolved to have a "frolic with the yankees," and landed nearly the whole force of his frigate for the purpose of attacking colonel Reed, who had collected a few militia at Moore's Fields, not far from Georgetown X Roads, on the eastern shore of Maryland, to check his depredations. According to the British account of this affair, signed "Hen. Crease, act. com."—[see WEEKLY REGISTER, suppt. vol. VII. p. 150] he landed 104 bayonets and 20 pikes—(but col. Reed estimated sir Peter's force as being superior to his own, which amounted to 170 men, all told—see vol. VII p. 11, and suppt. to vol. VII. p. 157) and rashly rushed upon his fate. He was met by a raw militia, "few of whom had ever heard the whistling of a ball," and in a few minutes was completely beaten, with the loss of his own life and 13 others killed and 27 wounded, according to the acknowledgment of Mr. *Crease;* and his force retired leaving behind it a quantity of arms, ammunition and other apparatus of war, with the dead, and nine of the *wounded;*—nothing prevented the annihilation or capture of the whole force but col. *Reed*'s want of ammunition for his men. We had none killed and only three wounded all of whom got well.

There is no doubt, the "British official" to the contrary notwithstanding, that Sir Peter's force was superior to col. Reed's in point of numbers. Mr. Crease's account would give us to believe that Sir Peter had only 124 men—it is hardly probable that 14 of these should be killed and 27 wounded, and 40 "missing;" for Mr. C. sent a flag on shore the next morning for an exchange of prisoners, 40 of the crew being missing. We believe his force was fully 150 men armed with muskets, and about 80 armed with pikes and pistols, &c. *And this is the affair that shines with such splendor on his monument.* BUT THE MARBLE CANNOT BLUSH!

Commodore Rodgers.

The compliment designed to be paid by certain citizens of Baltimore to this able and patriotic officer, is ready for delivery. It is a most superb service of plate "intended for the dinner table, and consists of a large fish dish: four large meat and four smaller dishes: four covered dishes for vegetables; two soup tureens and ladles; two large pitchers; four sauce boats and ladles: a bread basket, and a dozen forks—all of the most substantial workmanship, and reflecting on the artists, Messrs. Fletcher and Gardiner, of Philadelphia, the highest degree of credit."

Each piece has the following inscription:

"*Presented by the citizens of Baltimore to COM. JOHN RODGERS, in testimony of their high sense of the important aid afforded by him in the defence of Baltimore, on the 12th and 13th of September*, 1814."

Never was such a compliment more honestly, more faithfully, earned—never was one presented with a deeper interest and feeling than this occasion will give rise to. The unwearied volunteer-like services of com. *Rodgers* in the defence of Baltimore, in Sept. 1814, were as a host in strength—teaching by example, spreading confidence every where, and infusing into each breast a portion of his own invincible spirit.

This service of plate cost $4000. It is splendidly "ornamented with borderings and embrossed figures after the manner of the Egyptian and Grecian sculpturings," and is universally admired. It was exhibited a few days for the gratification of the subscribers and others.

Legislature of Massachusetts.

GOVERNOR'S SPEECH.

Gentlemen of the senate, and
gentlemen of the house of representatives:

The return of the election season brings with it little novelty, but much to engage and interest us. Past events, and a long catalogue of patriots and statesmen, with the recollection of whom the transactions of the season are associated, recur to the mind and enter deeply into the meditations of the occasion.

History, the instructive epitome of the character of man, exhibits to us not only the perpetual conflict of reason and the passions, of striking alterations of rectitude and error and the commanding powers and extreme imbecility of the human mind, but the formation of the governments, their progressive changes and ultimate catastrophe.

But without extending our views over the general history of man or of governments, the annals of

our country, the authentic memorials of the migration and settlement, the character and manners, the political and religious principles, and the literary institutions of our forefathers; the rise, progress and termination of the momentous question between Great Britain and her colonies, now the United States of America, respecting the right of parliamentary taxation; the origin of structure and establishment of our systems, jurisprudence, and their influence upon individual and social happiness, open various and prolific sources of instruction to the legislator, and of proud satisfaction to the American patriot.

You are called upon, gentlemen, to exercise the functions of legislation at a time highly propitious for impartial enquiry into the great interests of the commonwealth. For a long succession of years, such was the extraordinary state of most of the nations of Europe with which our interests are involved, that the minds of your predecessors have been occupied with painful apprehensions of the public safety, or with the arduous duties of providing means for public defence.

During that eventful period the ordinary avocations of many of our fellow-citizens were interrupted. Navigation, commerce, manufactures, and even agriculture, assumed or were forced into a preternatural state. Vast numbers of the people were compelled to abandon the pursuits which inclination had selected, providential allotments had facilitated, and habit had rendered familiar and lucrative, and resort was had, in too many instances, to desperate projects of speculation and adventure, equally eluding calculation, ruinous to individuals and vitiating to public morals.

But the public mind being now relieved from its disquieting solicitude by the internal tranquility of the state, the elevated character of our republican systems of government, the respectable condition of public credit, resting on its primitive principles of fiscal administration, and the existing relations of amity between the United States and the other commercial nations of the world, you are happily indulged the opportunity of turning your attentions specially to the interior concerns of the commonwealth. And coming as you do from every section of the state, you bring with you not only a knowledge of the wants and wishes of your respective constituents, but of all those facts and circumstances pre-requisite for suggestion and perfecting any public improvements of which the commonwealth may be susceptible.

Annual elections and frequent meetings of the legislature being designed to perpetuate the principles of a free constitution in their purity and vigor, and to promote in the highest degree possible the general welfare of the state, it seems highly proper as auxiliary to these ends that the attention of the legislature should be often directed to inquiries into the competency of the laws for securing to the people their political and elective rights; to inquiries whether they obtain, as they may be a demand, what the constitution assures them, right and justice freely, completely and promptly, without purchase, without denial, and without delay? Whether the code of criminal law be adapted to the state of society and morals, and punishments be uniformly commensurate with the nature and turpitude of crimes? Whether due encouragement is bestowed upon the interests of religion, learning, humanity and benevolence; upon agriculture and the fisheries; upon naval architecture and other mechanic and manufacturing arts; upon commerce and those productions of genius and taste which enrich and embellish a state? and in fine whether the laws are impartially and faithfully administered?

Agriculture was not only the first employment of man, but we may observe an admirable and happy coincidence of his interest, his passions and his taste with his primitive destination. But agriculture is unsusceptible of an independent existence. Unsolicited by the demands of commerce and manufactures, would the rural economist extend his care and his toil beyond the supply of his own immediate consumption? men do not act without motives. The hope of profit sweetens and originates labor.—But if the surplus products of the soil become a worthless incumbrance to the producer, langor, inaction and scarcity would be the result.

Whatever may be the intrinsic value, or the relative importance of the several great departments of political economy, which are so intimately united as to be inseparable, an enquiry into the most promising means of multiplying and meliorating the the products of husbandry, will not be deemed unworthy a Massachusetts legislature. A plenitude of subsistence affords the most sure and stable foundation for the maintenance and augmentation of the population of the state, for the improvement of manufactures and for the active circulation of the surplus products of art and labor.

Massachusetts has ever been respectable. And while she retains the spirit and is governed by the principles of her political, religious and moral institutions;—while her shools and higher seminaries of learning; while science and the useful arts shall be cherished; her love of justice and her habits of industry and economy shall be maintained, she must continue to command the respectful consideration of the world. The commonwealth, to the mild beneficient influence of whose constitution and laws we are immediately or remotely indebted, not only for our civil rights, but for the secure enjoyment of the rights of conscience, the pleasures of friendship, and of whatever is most dear to our affections in domestic life, claims our first fealty and homage. And I may add, that the people of the several states will most efficaciously perpetuate our system of national government, by preserving the solidity and the strength, and maintaining the erect attitude of the pillars upon which the vast and lofty superstructure is erected. By recurring to the resolves of the last session of the legislature, it will be perceived that, on the third of December last, a resolve passed, authorizing and requesting the government, with the advice of the council, to appoint agents to present the claims of this commonwealth against the United States, for expenditures during the late war, to the congress of the United States, or to any department of the government, as might be found expedient. In conformity to the authority vested in the executive by that resolve, agents were appointed, and commissioned, to repair to the seat of government of the United States for the purposes expressed in the resolve, and the hon. James Lloyd and William H Summer and Joseph H. Pierce, esquires, were selected. The two former gentlemen, with as little delay as possible, proceeded to the city of Washington; the latter gentleman remained in Boston and has been occasionally employed in selecting and furnishing documents to elucidate the principles upon which our claims are founded, and to arrange the component parts of the account under specific heads, as required by the department of war.—The course pursued by the commissioners and the result of their mission you will learn more distinctly by referring to their correspondence with the acting secretary

of war, which the secretary of the commonwealth will lay before you.

A few items of our account as exhibited against the United States by the commissioners were considered by the executive as coming within the purview of existing laws, and eleven thousand dollars have been remitted to me by the war department on account—which sum I immediately placed in the hands of the treasurer of the commonwealth, where it waits the order of the legislature.

Since the last sitting of the legislature it has been ascertained that a considerable balance of arms is due to this state, by virtue of the act of congress passed in April 1808, for arming the whole body of the militia. While our commissioners were at the seat of government they suggested to the acting secretary of war a proposition for transferring to the United States a number of musquets, the property of the commonwealth, and now in its arsenals, equal to the balance due to the state from the appropriation of the above mentioned act of April 1808, to be reconveyed to the state as its balance of arms due at the close of the last year. This proposition it is understood would have been acceded to by the executive of the United States, and payment made for the arms at the last contract price of arms manufactured for the service of the United States, had the powers of the commissioners been competent to that object. It rests with you, gentlemen, to authorise, at any future time, a commutation of any portion of the arms now in your arsenals, agreeably to the above mentioned suggestion, or otherwise as you may think expedient.

The resolve of the 12th December last, authorising and requesting the governor with the advice of council, to appoint agents for erecting a military arsenal at Cambridge, and a laboratory at Boston, and the resolve of the 13th December, authorising the appointment of three persons to consider the subject of the state prison at large, have severally been attended to, and the agents duly appointed.—The arsenal and laboratory have been contracted for, and are in a suitable state of progression.

A report from the commissioners employed to enquire into the mode of governing the Pennsylvania penitentiary, and other institutions of a similar nature, and to consider at large the subject of the state prison, and to report any improvement, organization or enlargement of that establishment, together with a communication from the directors of that institution, will be laid before you by the secretary. The importance of that humane and benevolent institution has always been highly appreciated by the government of the commonwealth; and from the encreasing population of the state, and from a variety of other causes, which the several communications now to be submitted to you will disclose, it is daily assuming a deeper interest. Such are my views of the importance, and indeed necessity, of further improvments in the interior arrangements and management of that institution, in order to the attainment of the beneficial designs which dictated its establishment, both as a place of mitigated punishment, and a penitentiary, that I feel it to be my duty specially to invite your attention to this weighty concern.

Since the last session I have received a letter from the governor of the state of New-Hampshire, together with a resolve of the legislature of that state, suggesting a modification of the laws of this state, relative to the inspection of provisions. Within the same period I have received from the governor of North Carolina, a letter accompanying a proposition of the legislature of that state for amending the constitution of the United States. These several communications will be laid before you with other documents by the secretary.

Accept, gentlemen, my assurances of the highest respect, and of my readiness to concur with you in all your efforts to promote the honor and happiness of Massachusetts. JOHN BROOKS.

May 31

Connecticut Politics.

Address of the majority of the house of representatives, to the friends of toleration and equal rights.

FELLOW CITIZENS—Your representatives constituting a majority in the popular branch of our government, beg leave to congratulate you on the glorious triumph of just and liberal principles, over that aristocracy which has long been supported "by the influence of office" and the prostitution of the fundamental principles of republican government. In the bold and energetic language of his excellency the governor, we may now truly say, "the actual condition of this state, in connection with the American republic, affords just cause for patriotic exultation." And let us with him, "thank God that we have constantly witnessed his protecting care of our beloved country; that we have seen the tree of liberty, the emblem of our independence and union, *while it was a recumbent plant*, fostered by vigilance, defended by toil, and not unfrequently watered with tears, and that by His favor we now behold it in the vigor of youthful maturity, standing protected from violation, by the sound heads, glowing hearts, and strong arms of a *new generation*, elevating its majestic trunk towards Heaven, striking its strong roots in every direction through our soil, and expanding its luxuriant branches over a powerful, united and prosperous nation."

Fellow citizens—We have felt an awful responsibility at this momentous crisis. To establish the foundation of a system of policy and measures, which shall secure to our citizens equal rights and privileges, both civil and religious; a thorough reform and correction of abuses; an equalization of the public contributions; a judiciary which should not be influenced "by the veering gales of party politics," which render life, liberty and property insecure; free toleration and equal privileges, in regard to the rights of conscience; and the restoration of our ancient system of election, unawed "by the influence of office" or dread of persecution, became our paramount duty. Happily for us, our patriotic governor did not shrink from responsibility; with that manly independence which characterised his worthy ancestors in the chair of this state, in the face of opposition, he boldly recommended a system of measures which at one stroke demolished the tottering and rotten fabric of Connecticut politics—pointed out clearly the path of our duty and received from your representatives, a cordial and united support.

Fellow-citizens—We are fully sensible your expectations, in some few particulars, may not be fully answered. But in legislating for the whole, private views must bend in some measure to the public good. Considering the important duties which devolved on us, the shortness of the session, and the various views of men, acting in concert, (for the first time) on the great and fundamental principles of republican government—a majority only in one branch of the government—we feel the most perfect confidence, that all has been done which could be done by us.

In the examination of the proceedings of the present session, it will be perceived, that almost the whole attention of the legislature has been confined to the revision of laws and usages, which had become odious, the correction of abuses, and in short in endeavoring to lay and establish a good foundation, rather than in building an elegant superstructure on a foundation of sand. To our successors we leave the more pleasing task of erecting and finishing the building, when a majority of both branches, will act in concert, and your representatives will not be shackled by the jealousy or opposition of the other branch.

Our task has been arduous, but we have not shrunk from duty—Our constituents will decide on the propriety and expediency of our measures and from these our motives will be seen, and candidly scrutinized.

The republic is safe. Honest men of all parties are uniting, and but one effort more is necessary to complete the work of reformation. We have with us a good cause, firmly supported by all who seek the best interests of the state and nation. Our adversaries are those who cannot consent to surrender unlimited power to its legitimate owners—*the people*—they cling to their offices and stations, as the drowning man in his agonies catches at straws.

The nomination of candidates for the council which has been made by gentlemen from every part of the state, many of whom are not members of assembly, we recommend to you, and feel the most perfect confidence, that it claims, and will receive your undivided support—you will once more be compelled to *stand up* and be counted—Our *old election law*, under which our ancestors "led quiet and peaceable lives" for more than 100 years, is not restored—the upper house refused to concur with us to repeal the stand-up *law*—let this not be forgotten—unite as a band of brothers—rally round the standard of toleration and equal rights—support the arm of our excellent chief magistrate, and Israel (and not Amalek) will prevail.

Signed by order,
JAMES STEPHENS, *Chairman.*

Judicial Opinion.

On the power of the judiciary to decide on the constitutionalty of the laws.

Langdon Cheves, esq. a judge in South Carolina, was lately required to decide on the constitutionalty of a law—the following is extracted from his decision.

"I have never entertained a more decided opinion on any question. I am clear the act of assembly under consideration is constitutional and operative. But if I were less clear I should still believe it to be the duty of the judges to carry the act into effect. I hold it not to be enough to doubt. I must be fully and clearly satisfied that an act of the legislature is unconstitutional, before I shall refuse to carry it into effect, or exercise the authority with which I am vested to restrain its operation.

"The co-ordinate authority of the judicary and its right and duty to determine, where its functions involve the question on the constitutionality and validity of a legislative act, I take to be a point now settled by the judgment of almost every respectable judicial tribunal, and confirmed by the approbation and acquiescence of all wise and sober statesmen, in the union; but it is still a power to be exercised with great circumspection, and a duty which is incumbent only in very clear cases. On this subject I adopt with entire approbation the language of the supreme court of the United States.

"Nor is it to be forgotten that this is not a case in which the judiciary is called upon with painful firmness to resist some legislative encroachment, subversive of justice, upon the private claims of the citizens or the great rights of the people. The legislative act is entirely beneficent, and nothing is to be dreaded but that it may not be executed.—Under such circumstances the question must be clear indeed to authorise the judiciary to raise this sacred shield of public liberty and private right. It should only be brought forth on extreme occasions. If it be voluntarily assumed for every little exhibition—I fear it may be shattered, and with its bearers, cloven down in some ignoble strife which may grow up, in which the unequal strength of legislative power and judicial independence shall be put in opposition, mixed up with all the bitterness of human passions, and all the wantonness of human folly."

Foreign Articles.

ENGLAND, &c.

Petitions for relief from distress, continue to be presented to parliament. One, which had five thousand signers, prays to be furnished with means to emigrate!

The chancellor of the exchequer has stated in parliament that no loan will be required by government this year.

Southey, poet laureat, in vindicating himself against a charge of apostacy, says "it is the *people* who stand in need of reformation, and not the *government.*" Good!

The employment of boys to draw lotteries has been stopped in England, as tending to make them gamblers. Really good.

Five bills for high treason have been found against "Arthur Thistlewood, gent. James Watson, the elder, surgeon; James Watson, the younger, surgeon; Thomas Preston, cordwainer, and James Hooper, laborer." Thistlewood was intercepted in an attempt to escape to America.

Employment of the poor. In the house of commons the chancellor of the exchequer has brought forward his plan for the employment of the poor.

The sums proposed to be voted are—for England, 1,500,000*l.* in exchequer bills; and for Ireland, 250,000*l.* out of the consolidated fund of that kingdom.

Advances are to be made on the security of the poor-rates in England. No advance to be made to any parish except in cases in which the rate was *double the average of the two preceding years.*

Manufacturers of Birmingham and other places, to be assisted with loans.

We see many gossiping paragraphs in the London papers about the *condition* of the princess Charlotte. We have also a pompous account of the marriage of an American lady to a col. Harvey—and that some American women danced so well on another occasion, as to please, [how gracious!] the enlightened and polished prince regent! *Quantum suf.*

The princess of Wales is expected at Paris—it is said she "threatens" to return to England. She was mightily offended at Vienna by the conduct of the British minister there, lord Stewart—who, to avoid her visit, set off with his family into the country. She openly declared her daughter should be informed of the procedure—and we cannot but believe, though she is a princess, that she will remember the wrongs of her *mother.*

FRANCE.

Mad. de St. Jean d'Angely, (whose husband is in the United States) was arrested at her chateau near Paris on the 25th April, and sent to the Conciergerie. The cause of this proceeding is not stated.

RESTORATION! A poor maniac entered the metropolitan church at Paris, and cut his throat in it—on which the church (says the Moniteur of the 20th April) *defiled* by the effusion of blood, was immediately closed; and after a decision of the chapter had been made, it was restored to purity according to the form prescribed by the ritual. At a quarter past five o'clock, the clergy of the metropolis assembled in the church, and closed the doors. The pascal taper, the chandeliers, the candles, and the cross of the great altar, were taken away, and the hosts of the tabernacle. The vicar-general, Jalabert, being clothed in a violet-colored vestment, went forth of the church by the great door, and sprinkled the walls above, and all about, while the clergy chaunted the psalm *Expurgat Deus.* Having returned into the church by the same way, the clergy were on their knees at the foot of the great altar, with the officiating priest, who sprinkled the walls inside, especially the place where the suicide was committed, and the places stained with his blood.

This ceremony, which took up some time, was attended, and participated in by the people, and concluded with prayers being again recited at the foot of the altar.

French commerce. Arrived at Havre in March—138 vessels, viz. 79 French, 18 American, 13 English, 8 Norwegian, 7 Swedes, &c. Of the former, only four were from the colonies.

Sailed in March—130 vessels, viz. 106 French, 11 American, 4 English, 3 Norwegian, 3 Prussian, 2 Swedes, &c. Of the former, 17 were for the colonies in India, Africa, and West Indies; 3 for America, (New.Orleans) 1 Brazils and 2 Havana.

A list of all merchandise imported in March is also given—including 5,687 bales of cotton, 2,279 tierces, 100 sacks and 72 casks rice, 275 bbls. potash, 135 cases indigo.

Madame Ney. A letter is published in the Paris papers as written by the emperor of Austria to "Madame la princesse de la Moskoway," in reply to one from her, asking leave to settle in Florence. The emperor, in the most frank and polite manner, is made to offer the liberty of any part of his dominions, as agreeable to herself—it being his wish to treat her "as one of his dearest subjects"—adding, "We deplored the fatality of the circumstances which brought on this misfortune of your illustrious husband, and impressed with the recollection of his having been the victim of his devotion to a prince allied to us by the ties of blood, and to her majesty the duchess of Parma, our beloved daughter, we make it our duty to concur in offering you every consolation in our power." This letter is dated at the palace of Blankembourg, Feb. 20, 1817. If genuine, the preceding extract may be considered important.

NAPOLEON BONAPARTE.

A Brussels paper states that some of Bonaparte's partizans in France attempted to carry on a correspondence with him by means of a magnificent muslin dress, which was sent as a present to madame Bertrand—the embroidered flowers and figures of which were hieroglyphical characters.

Bonaparte's military carriage and equipage, taken at Waterloo, and which has been exhibiting for some time in England, is to be brought to America.

One of the French exiles under sentence *par contumace*, has recently gone to Parma, the residence of Napoleon's wife.

Santini has lately arrived at Brussels from St. Helena, via England. All his steps are watched. It was asserted in London that he was the bearer of letters from Napoleon to his wife.

MINORCA.

There is a report that a bargain is on foot for the surrender of the island of Minorca by Spain to Russia. If this should take place, no doubt England will feel it a sufficient cause for war with these powers!—believing as she does, that no nation has a right to cede a *naval station*, especially, to any other than herself. Witness the alarm at the rumor that Naples was about to cede the island of Lampedosa to the United States.

CORSICA.

A London paper says—Previous to April there had been no rain in Corsica for three months. Two leagues of soil and fifteen houses were burnt by fire supposed to be electrical.

AUSTRIA.

Two Austrian frigates have lately sailed from Trieste for the Brazils, giving freight and protecto many tons of the manufacture of the empire, and to open a direct commercial intercourse with that country.

PORTUGAL.

The Portuguese government is said to have contracted, in England, for 30,000 stand of arms, to be sent to Lisbon without delay—6000 are already on the passage.

INDIA.

THE PINDAREES. *From a late London paper.* By recent accounts from India we are informed that a considerable movement pervades the native powers throughout the north east and centre of the peninsula. The tributaries and officers of the rajah Typour, terrified by the advances of Ameer Kahn, and still more by the imbecility of their own rajah, resolved at one time to call in the assistance of the company's troops—at another to chose a more capable and efficient sovereign. The British resident at Delhi has received intelligence that the number of Pindarees in the field amounted to no less than 80,000, mostly well equipped, and all well mounted. Their mode of making war is most destructive, as plunder is their only object—they separate for the purpose into bodies of from 100 to 4 or 5000 horse, and ravage a territory of fifty miles or more in circumference—whence after rendering it a perfect desert, they march elsewhere to similar devastations. It was a detachment of several thousand of these fierce marauders which traversed last year the whole of India—and penetrating to the bay of Bengal, laid waste to the British province of Cattack, in the neighborhood of Calcutta. It is presumed that some decisive measures will be taken by the company government, and their several allies, to check the progress of this terrific banditti, and to chastise their insolence—since otherwise there will be neither security nor tranquility for the peaceful inhabitants from north to south of India. For this purpose his highness the Nizam had resolved to embody 5000 cavalry, and place them under the command of British officers. To this end also, it was conjectured, as much as with any view towards anticipating the designs of the Mahrattas, a subsidiary force of six battalions of company's infantry, five regiments of horse, and a proportionate number of artillery, were forthwith to assemble at Nagpour, in the dominions of the rajah of Berar, under the command of col. John Adams—and col.

Frith had been appointed to the second division of the army in the field.

☞Later advices say that one body of the Pindarees was surprized and totally defeated, with immense slaughter.

AFRICA.

The navy of *Tunis* is said to consist of—3 vessels of 48 guns, 2 of 26, 1 of 24, 2 of 18, 1 of 16, 1 of 14, 1 of 12, 2 of 8—9 lateen vessels, &c. of 2 each, 2 bombards, and 80 gun boats, 1 each; besides an old corvette of 20 guns, and a new frigate nearly planked up. Total 108 vessels—413 guns. This list was furnished by a U. S. naval officer.

WEST INDIES.

Assassination is so frequent at Havana that a patrole has been established to prevent it. It is said that *nine* persons were assassinated in one evening. The guards are ordered to search all persons, without distinction, for knives—but they may carry swords, if exposed to view by being hung at the side.

A project is on foot to build two *steam boats* to ply between Trinidad and the Main.

FLORIDA.

The Spanish commandant at Pensacola has refused a passage to the transports with provisions for the U. S. troops stationed on the Conawa, &c. without the payment of an enormous duty—and is said actually to have seized some of their rations. It is intimated that general Gaines will *negociate* a passage for these vessels.

SOUTH AMERICA, &c.

Good news. The troops that had just arrived from old Spain, (about which there was so much talk and preparation, and so much difficulty to get off) amounting only to 2000 men, landed and formed a junction with other royal troops near the Oronoko—where the patriot general Piar drew them into an ambuscade and killed 800 on the field, and took as many of them prisoners—Only 250 of the whole united force had reached Guayana. May thus forever perish the hopes of Ferdinand, the ungrateful, of chaining South America!

Bolivar and Piar are on the best understanding, and co-operate handsomely; and every thing seems to go on very well. A little more perseverance, and liberty triumphs.

Lord *Cochrane* who goes out to South America, is to be accompanied by Sir *Robert Wilson*. Success to them!

Com. *Taylor* is said to have informed Petion, that, unless he comes to some arrangement respecting the vessels he has seized, he will capture all Haytian vessels he meets with until he gets property to the value of two millions of dollars. The Haytian chief has a frigate of 40 guns, a ship of 22, 1 brig of 18, and 1 of 16, all completely equipped and manned, but he seems unwilling to send them out to drive away *Taylor's* light vessels.

Pernambuco. We have an account that this place is blockaded by a Portuguese force of 2 ships of 32 guns and a brig of 18, manned by volunteers—the appearance of which had thrown the patriots into confusion. They had embargoed all the Portuguese vessels, and it was expected that this measure would be extended to those of other nations. It is also said that the people of Bahia remained firm in their allegiance to the king, the governor having given the soldiers double pay and rations.

In opposition to the preceding, another account says, that the whole coast was in a state of revolution; which would doubtless end in the total exclusion of the Portuguese monarchy.

The Mexican patriots are much elevated and the royalists as much depressed, at the prospects they have of a war between the United States and Spain—of which, however, we see no immediate probability, unless the late hostile proceedings of the Spanish authorities in the Floridas and in Mexico bordering on Louisiana, may tend to it.

Gen. *Roul*, who left the United States some time ago to assist the patriots at Buenos Ayres, has returned, after the most outrageous treatment from the supreme director. On his return from Chili, he was privately seized and condemned to leave the provinces without examination or trial, like those gentlemen whose arrival we lately noticed. His pay was even retained. We fear that things are not going on as we would wish them. General R. in his statement, however, gives us hopes of the people; who, he says, love liberty, and will persevere in defence of their rights.

Peru. Our hopes are again revived that Peru is about to be wrested from Ferdinand. The patriot army consists of 3000 men, and has lately gained some considerable advantages over the royal forces.

Sound Doctrine.

FROM THE N. Y. MERCANTILE ADVERTISER.

Extract of a letter from a distinguished revolutionary patriot, to his friend in this state, written in May last.

"I hope, with you, that the policy of our country will settle down with as much navigation and commerce only as our exchanges will require, and that the disadvantage will be seen of our undertaking to carry on that of other nations. This, indeed, may bring gain to a few individuals, and enable them to call off from our farms more laborers, to be converted into laquies and grooms for them; but it will bring nothing to our country but wars, debt and dilapidation. This has been the course of England, and her examples have fearful influence on us. In copying her, we do not seem to consider, that like premises induce like consequences. The bank mania is one of the most threatening of these imitations; it is raising up a monied aristocracy in our country, which has already set the government at defiance, and, although forced at length to yield a little on this first essay of their strength, their principles are unyielded and unyielding. These have taken deep root in the hearts of that class from which our legislatures are drawn, and the sop to Cerberus, from fable, has become history. Their principles lay hold of the good, their pelf of the bad; and thus those whom the constitution had placed as guards to its portals, are sophisticated or suborned from their duties. That paper money has some advantages is admitted; but that its abuses also are inevitable, and, by breaking up the measure of value, makes a lottery of all private property, cannot be denied. Shall we ever be able to put a constitutional veto on it?"

Church Affairs.

The very respectable gentleman who forwarded to the editor certain pamphlets regarding a dispute between a highly-titled ecclesiastic and several of the congregations of christians under his charge, is informed that we read them with much interest and no little astonishment. It seems so repugnant to common sense, that those who, by *voluntary* subscriptions, raise money to erect places of worship and support clergymen to officiate in them, should not have the right of electing their pastors and of fixing their compensation, that we hardly supposed a thing of the sort could have happened in the

United States; and we feel very certain that there must be a degradation in the character of some of our citizens, if they submit to such severe disfranchisement.

But, as in this respect the people have, or may have if they please, an entire controul over their own church affairs, it is not necessary for us to say any thing on the matter, which is only a private, or particular, concern, to be regulated by the discretion of those interested in it; though we regret and cannot help reproving an attempt to apply the monarchical principles of Europe to any part of the people of the United States.

CHRONICLE.

The president of the United States, after visiting fort Mifflin, &c. reached Philadelphia on the evening of the 5th inst. escorted by three troops of horse and a great concourse of citizens—in the presence of whom he reviewed gen. Caldwalder's brigade. While in Philadelphia he visited the venerable *Thos. Mc Kean*, also *Thos. M. Willing* and the widow of the late *Robert Morris*.

On Friday the 6th inst. the members of the Pennsylvania state society of the Cincinnati, paid their respects to the president of the United States, and presented the following address:

To James Monroe, president of the United States.

SIR—Embracing the occasion which your attention, as chief magistrate, to the military defences of the United States, has afforded, it is with peculiar pleasure that the members of the Pennsylvania society of the Cincinnati, a portion of the surviving few who were your associates in arms during the war of the revolution, approach to renew their personal intercourse, and to assure you of their cordial support to the firm and impartial administration of government, which, by combining in its measures domestic tranquility with the respect of foreign nations, they confidently anticipate, will promote the best interests of the United States, ensure to our citizens the advantages of social harmony and individual happiness.

That you may participate those blessings and enjoy the grateful esteem of a happy people, is the sincere wish of your faithful friends, and respectful fellow-citizens.

Signed by order, and by the
unanimous vote of the society.

D. LENOX, President,

HON. BINNEY, Secretary.

Philadelphia, June 6, 1817.

THE PRESIDENT'S ANSWER.

To the members of the Pennsylvania society of the Cincinnati.

FELLOW CITIZENS—In attending to the naval and military defence of the United States, nothing can be more gratifying to me, than to meet the surviving members of my associates in arms, who distinguished themselves in our revolutionary contest. I can never forget the dangers of that great epoch, nor be indifferent to the merit of those who partook in them.

To promote tranquility at home, and respect abroad by a firm and impartial administration, are among the highest duties of the chief magistrate of the United States. To acquit myself in the discharge of these duties, with advantage to my fellow-citizens, will be the undeviating object of my zealous exertions. Their approbation will be the highest recompense which I can receive.

JAMES MONROE.

Philadelphia, June 6, 1816.

"The ancient and honorable artillery company" of Boston has presented a costly and elegant sword to gov. Brooks, of Massachusetts. This company is the oldest military association in the new world; and has been kept up with life and spirit from its first establishment. They have just celebrated their 179th anniversary!

A ship with 400,000 in specie on board, bound for India, lately suffered much by the explosion of her magazine, by which one man was killed. But by prompt assistance from the *Independence* 74, the specie was saved and the wreck secured so that the vessel may be repaired at a comparatively small expence. In generous principles, our naval officers have no superiors.

The Venezuelan chief, sir Gregor Mc Gregor, is at present at Charleston, S. C. It is intimated that he soon expects to rejoin the patriots.

The Hudson—Projects are mentioned by narrowing the channel of the Hudson at certain places, to deepen it so that sea vessels may go up to Albany. Success is sanguinely calculated upon.

Lieut. *Heath*, of the U. S. navy, has been killed in a duel with a midshipman, at Hoboken, near New-York. The editor of the REGISTER well knew the deceased—a more amiable young man or more promising officer, did not belong to the navy; and he is uselessly cut off, in the very budding of life!

A "hard mouthed" fellow.—A criminal who lately made his escape from the Georgia penitentiary is said to have possessed "an extraordinary faculty of releasing himself almost at pleasure from chains—and tears to pieces with his *teeth* the strongest padlocks with apparent ease."

Ship News. The newspapers published in the numerous villages that have sprung up on the New-York *coast* of Lake Ontario, since the war, have a portion allotted to *ship news* as regularly as those on the sea board. The chief places of trade, at present, are Sacketts Harbor, Ogdensburg, Troupsville, Gennessee River, and Buffaloe—the most of which were covered with woods 5 or 10 years ago.

New Church. The corner stone of a new church has just been laid in Baltimore. On a brass plate deposited in the stone is written—

"*There is one* GOD, *and one mediator between God and man, the man Christ Jesus.*" 1 Tim. ii. 5.

THE MAMMOTH. We have a detailed account of some newly discovered bones of the mammoth, in the presence of several distinguished gentlemen, in Orange county, New-York. The frequent discovery of such relicts, at a day so distant from that in which these monstrous animals must have lived, gives us certain proof that they were once *very* numerous in our country. What changes in its nature and climate must have happened since then!

The cut worm. Mr. John Erwin, of Newport, Del. has clearly ascertained that the cut worm is transformed into a fly—in which state it propagates its species.

Hessian Fly. A letter from a gentleman at Clarksburg, Va. to the editor of the Register, says that the fly has not extended its ravages to that quarter of the country, and that the crops of wheat never looked better. He adds, as yet we have no locusts.

The season in the western parts of New York has been very cold and unsettled, The fruits are despaired of. A snow that would have been six inches deep, if it had not wasted after its fall, fell at Canandiagua on the 27th of last month. The corn has been severely injured by the cut worm, but the wheat had a very fine appearance.

The crops in North Carolina are reported as promising a most abundant harvest. On the whole,

though some parts of our country has suffered much, we incline to the belief of a probability of the greatest harvest of bread stuffs ever gathered in the United States.

Important present. Arrived at Baltimore, on Tuesday last, in the brig Margaretta, captain Gardner, from London, six beautiful young cows and one bull, of the Devonshire breed, together with some improved implements of husbandry, for Mr. Patterson and Mr. Caton, of this place, the whole being a present from the celebrated Mr. *Coke*, member of parliament for Norfolk, the richest and most particular farmer in England, who gives the following description of these cattle:

"I venture to give it as my opinion that we have no cattle to be compared to them in the united kingdom, for purity of blood, for aptitude to feed, for hardiness, as well as for the richness of their milk, and for work when required, as I have repeatedly found by a variety of experiments upon my own farms and elsewhere.

"That they may answer in America as well as they are now universally acknowledged to do in England, I most cordially hope, and my wishes will then be gratified."

Ad valorem duties. The utility and necessity of the regulation lately directed by the secretary of the treasury, "*that a portion of all goods imported, subject to ad valorem duties, shall be examined to ascertain the quantity and quality thereof,*" has been already tested. In one invoice that underwent this scrutiny last week, we understand there were twenty-six packages found of a fraudulent character, being invoiced and entered as chocolate, confected citron, gentian root, gum lac, orange peel, &c.—They were found to contain, besides these articles, upwards of seventy small boxes secreted therein, containing *sewing silks, ribbons, silk stockings, silk velvets, Prussian blue, boots, shoes, &c.* to the amount of *five thousand dollars!* We trust that a strict and vigilant attention to this regulation, by a competent officer, will be uniformly practised, *that the revenue may be secured, the honest importer protected, and domestic manufactures have a fair chance in their struggle for their existence.* We believe that there is every disposition on the part of our revenue officers to pursue the same vigilant system which *denunciations* will not be able to check, nor *interested* clamor weaken.——*Nat. Advocate.*

Naval—The U. S. brig Enterprize, it is said, is fitting out to take a survey of our coast, and will be manned entirely by midshipmen, under the command of lieut. Kearney. By this method the number of midshipmen at present unemployed will have an opportunity of rendering themselves familiar with the duties of seamen, and qualify themselves for actual service at any moment when required.

The Deaf.—The following very interesting article is taken from the Christian Observer, [of London] of September, 1816:—Messrs. Wright and son, surgeon aurists of Bristol, have succeeded in restoring the faculty of hearing to several persons born totally deaf and dumb. The persons having now acquired the possession of distinguishing sounds, are daily improving in the power of conversing. These gentlemen intend to receive a limited number of persons of respectability laboring under these infirmities, into an establishment in the neighborhood of that healthy situation, Clifton.

Chinese state paper.

The London Traveller, of March 11, contains a particular account of the *fracas* between the English embassy and the Chinese, in September last. On this subject the emperor issued the following edict:

IMPERIAL DECREE.

Dated the 15th day of the 7th moon of the 21st year (6th September, 1816,) of Kia-Kiang, addressed to the Viceroy King, and the Feymen Jung of Canton, and received the 5th of the 8th moon 25th September.)

The English ambassadors, upon their arrival this time at Tiensing, have not observed the laws of politeness, in return for the invitation* of the emperor. Reaching Tung-echow, (four leagues from court) they gave assurances of readiness to perform the prostrations and genuflexions required by the laws of good manners (of the country.)—Arrived at the imperial country-house (half a league from court,) and when WE were upon the point of repairing to the hall (to receive the embassy,) the first as well as the second ambassador, under pretence of ill-health, would not appear. We, in consequence, passed a decree, that they should depart. Reflecting, however, that although the said ambassadors were blameable in not adhering to the laws of politeness, their sovereign, who, from an immense distance, and over various seas, had sent to offer us presents, and to present with respect, his letters, indicating a wish to show us due consideration and obedience, had not deserved contempt, such being also against our maxim, of encouragement to our inferiors; in consequence, from among the presents of the said king, we chose the most trifling and insignificant (which are) four charts, two portraits and ninety-five engravings; and in order to gratify him, have accepted them. We, in return, give as a reward, to the said king, a Yu, Yu,† a string of rare stones, two large purses, and four small ones; and we ordered the ambassadors to receive these gifts, and to return to their country (we having so enacted) in observance of the maxim (of Confucius,) "give much—receive little."

When the ambassadors received the said gifts, they became exceeding glad, and evinced their repentance. They have already quitted Tung-echow. Upon their arrival at Canton, you Kiang and Jung, will invite them to a dinner, in compliance with good manners, and will say to them as follows:

Your good fortune has been but small: you arrived at the gates of the imperial house, and were unable to lift your eyes to heaven (the emperor.) The great emperor reflected that your king sighed after happiness (China!!!) and acted with sincerity; he therefore accepted some presents, and gifted your king with various precious articles. You must return thanks to the emperor, for his benefits, and return with speed to your country, that your king may feel a respectful gratitude for these acts of kindness. Take care to embark the rest of the presents with safety, that they may not be lost or destroyed."

After this lecture, should the ambassadors supplicate you to receive the remainder of the presents, answer—"In one word, a decree has passed; we dare not, therefore, present troublesome petitions:" and with this decision you will rid yourselves of the embassy. Respect this.

*Previous to coming to table, the guest makes a profound inclination, or actual prostration, according to the rank of the host.

†Insignia of honor (a long carved stone) presented on days of fete, to high mandarins and foreign ambassadors

Mr. Hay's speech on Usury.

TO THE EDITOR OF THE ENQUIRER.

Sir—I send you enclosed a rough sketch of my remarks, made last winter, in the house of delegates, in support of the bill commonly called the *usury bill*. Your publication of this sketch, will be a performance of the promise contained in my last address to the freeholders of Henrico.

I do not recollect that the bill was printed in the *Enquirer;* but whether printed or not, it may not be improper to state the substance of its principal provisions:

All the existing laws for the prevention of usury were repealed.

Loans at any rate of interest were authorised, provided the contract was reduced to writing, subscribed by the party to be charged therewith, and attested by two witnesses, who should subscribe their names under the words, "having first read this contract."

Where there was no express stipulation on the subject, interest was to be fixed at the rate of per centum per annum—at which rate, interest was to be allowed when assessed in the form of damages.

The bill directed, that the settlement of the accounts of executors, administrators, guardians, trustees, and committees of lunatics should be made on the principles heretofore established.

All contracts made by virtue of the law were declared to be subject to the control of courts of equity; on the same principles on which relief against other contracts is afforded.

A penalty was denounced against those who received, or stipulated to receive, higher interest than was expressed in the contract.

These, I believe, were the principal provisions —I speak from memory only, having actually worn out the copy of the bill, which you were so good as to send me.

Yours, respectfully,

GEO. HAY.

Ashfield, May 6, 1817.

Mr. HAY'S SPEECH—*In the committee of the whole, on the bill to repeal the several laws of the state of Virginia, for the prevention of usury.*

MR. CHAIRMAN—I admit, without hesitation, that the object of the bill before you, is the subversion of a system, which has existed (under different modifications) for more than three thousand years.—This acknowledgement, I am aware, leaves me exposed to the imputation of temerity, for having brought that bill before the house. This imputation would indeed be merited if the opinion, which gave rise to it, had been but recently adopted, or was confined to myself alone. Sir, this opinion, imbibed while I was merely a student, has been confirmed by the observation and experience of succeeding years. But my conviction on this subject, however strong, would not have induced me to trespass on the time of this assembly, if it had not been participated by others. Yes, sir, whatever gentlemen may think, or whatever surprise they may choose to manifest, it is a fact, that the doctrine for which I contend has been supported by writers occupying high and distinguished stations in the literary and political world. I will lay before you, sir, the opinions of a few—not as authority, for in political science there is no authority—but as an excuse, an apology to the committee, for introducing a subject, whose supposed novelty has already attracted so much notice.

Sir, several years ago, I read, and very recently I have again perused, a little volume on the subject now before us. It is written with great perspicuity and force, and undertakes to prove and does prove, that all the laws that have ever been made, or can be made, for the suppression of what is called usury, are not only useless but injurious. This little volume, written by Bentham, has never been answered, and I am entirely persuaded never can be refuted.

Sir, in the 52d No. of the Edinburgh Review, this book is mentioned in terms of approbation, and the writer in the language of respect. But, sir, the reviewers, who constitute the highest literary tribunal now known, or perhaps ever known to the world—the reviewers, as much distinguished for their profound speculations in political economy, as for their knowledge of literature and the sciences, not content with this notice of Bentham and his book, have gone on to express their opinion upon the merits of the very system, which it is the object of my argument to expose, and of the bill before you to destroy. In speaking of the distresses of Great Britian since the peace, they do not hesitate to ascribe a portion of them to the operation of the laws against usury. They speak of the laws themselves in the strongest terms of reprobation. They denounce them as absurd and barbarous—laws, which "no man of sound understanding can now be found hardy enough to support." In the same strong tone of disapprobation and contempt they express a hope that the British parliament will "distinguish this age by eradicating one of the most pernicious errors, which the darkness of the early ages, and the blind deference to authority of more civilized times, has ever planted in society."

Have I not said enough, Mr. Chairman, to rescue myself from the imputation of temerity?—from the sarcasm, as irregular as unprovoked, thrown out in debate a few days ago, upon another topic, intimating that this was the age of discoveries, and that the member from Henrico had made the "notable discovery" that the laws against usury were impolitic?—"No," (will be the answer,) "you have not said enough. This Mr. Bentham, and these reviewers are people of whom we know nothing. They may be men of mere theory and speculation; men without that practical knowledge of human affairs, which alone can entitle the opinions to respect."

How far this may be true as to Bentham, I know not; that it is not true as to the reviewers, I have good reason to believe. Several of them are men, who have held high stations in the government of Great Britain; while others actually engaged in parliament are as much distinguished for their practical knowledge as for their great literary attainments. But let this pass. I will occupy your time for a moment longer on this point, by introducing one more witness to complete my apology.

Turgot was unquestionably a *practical* man.—Distinguished in France more by his virtues and abilities than by birth or connections, he was called by Louis 16th to the office of comptroller general of the finances, of that great and opulent empire. His administration, it is true, was not of long continuance. He could not resist the influence and the cabals of those who rioted on the oppression of the people; but he carried with him into his retirement the affection and confidence of all the wise and the virtuous; and dying, left a character, which the pen of Condorcet has employed itself to preserve and perpetuate.

The opinions of this statesman, on the question before us, are expressed in the strongest terms:—"I will dare to speak out." Will you pause for a moment, Mr. Chairman, to observe the expression, *dare* to speak out? Sir, that word, "dare," is worthy of notice. Turgot felt that he was treading on ground consecrated by the prejudices of more than a thousand years, and it required an effort of his moral courage to speak the truth to the ears of a prejudiced and deluded people. Sir, I feel the force of that word. I know, I *see*, what prejudice is, and I *feel* that he, who questions an opinion which has passed from generation to generation without examination, does *dare*, when he asserts his own, even in this free and enlightened country.

"I will dare to speak out," says Turgot. "The "laws recognized in our tribunals, on the subject "of the interest of money, are pernicious Our "legislation is suited to the strict prejudices con- "cerning usury, introduced in ages of ignorance, "*by theologians, who understood the sense of the Scrip- "ture no more than the principles of natural law.*(1) "The rigorous observation of these laws would "be the destruction of all commerce; and they "are not rigorously observed. They interdict every "stipulation for interest without an alienation of the "capital; they forbid as unlawful all interest be- "yond the rate fixed by the ordinances of the "prince; and it is a thing notorious, that there is "not on the face of the whole earth a place of "trade, where the greatest part of the business "does not depend on money borrowed without an "alienation of capital, and where interest is not re- "gulated by agreement."

I will not, Mr. Chairman, occupy more of your time in preliminary remarks. I say, I *have* proved, that the bill before you constitutes a subject of fair and legitimate discussion. If further proof were necessary, it is at hand. Mr. Locke, whose name alone reminds us of all that is great in intellect, or pure in morals, has long ago demonstrated, that the market rate of interest cannot be regulated by law.

Waving all benefit from the opinions here quoted, except that of justifying the proposed inquiry, I proceed at once to the several propositions, upon the truth of which depends, I conceive, the policy of the measure now under consideration. I am well aware, that the discussion will be tedious, but the importance and the novelty, legislative novelty, of the subject induces me to hope, that the committee will favor me with their attention.

The first proposition is, that by the law of nature—that is, by the principles of reason, justice, morality, independent of municipal law, interest may be required, as a compensation for the loan of money. In this point, all ethical writers now agree. It would be a waste of time to refer to them. In this point, all legislators now agree. In every part of Europe, Turkey perhaps excepted, some interest may be taken. In every state in the union, interest, higher or lower, is allowed. In this state, interest was originally settled at 5, and was then increased to 6 per cent. It may therefore be assumed as a position unquestionably true, that it is not immoral to exact interest for the loan of money. Even the most strenuous opponents of contracts for interest concede, that where the capital is alienated, a rent or interest may be reserved. (2) Between a temporary and permanent loan, there is no difference in principle. Interest may be required with as much propriety in the first case as in the last; nor is there a single exception allowed by the scholiasts to the general prohibition, which does not shew the absurdity of the prohibition itself (3)

Now, sir, mark the difference. If it be morally lawful to take interest for the loan of money, it is morally lawful to take any interest *fairly* agreed on. This inference is justified by a proposition universally true, that all contracts between persons competent to contract are binding, unless there be fraud or mistake. Sir, the inference is irresistible; and contracts for interest must be admitted to stand on the same ground with all other bargains. If it be alleged, that they form an exception to the general rule, the burthen of the proof lies on the exceptor. It is his business to shew, that although all contracts fairly made are morally binding, a stipulation to pay interest, no matter what, fairly made, is not in like manner obligatory.

But it has been suggested, (not here,) that the price of money has been regulated by law from motives of policy only. I should have been glad to learn what those motives were. I have never

(1) According to Mosheim (abr. 2. 70) the clergy, even of the 16th cent. knew nothing of the scriptures. The most famous university in Europe could not furnish a single man, who could discuss a question of religion on a scripture foundation.

(2) This distinction, after long discussion, was settled by a papal decree. It was established, or sanctioned by Pope Martin 5, and confirmed several years afterwards by Calixtus 3d.—Theone de l'interet. printed at Paris 1780, p. 130. These Popes both lived in the 15th century.

(3) Saint Thomas, (Thomas Acquinas,) who was called the angelic doctor, and wrote against interest, (in the 13th century) was yet of opinion, that interest might be taken on money lent to one, who wanted it only for parade—"ad ostentionem!" The plain people of this country, who are no Saints, differ from St. Thomas, and think it wrong even to give money which they know is to be squandered. —Theone, 176.

Another Saint (St. Beuve) who lived in the 17th century, tho' he agreed with St. Thomas, was yet inclined to think that money might be borrowed on interest, for a purpose of "signal utility," or by a merchant in a case of "real necessity." He would not advise such a thing to be done, but he could not condemn it.—Ibid. This man was expelled from the Sorbonne. It is not improbable that his scepticism on this subject, may have contributed to produce that event.

Another exception admitted by St. Thomas, allowed interest "ratione damni." If the money lent was not paid at the appointed time, interest might be claimed by way of damages!! It may be very safely affirmed, that Locke, Stewart, Smith, Quesnal and Turgot imbibed no portion of their political science from that class of writers commonly called the schoolmen or scholiasts. Of these people, enough is said in three lines by Enfield: "The art of reasoning was employed not in the free investigation of truth, but merely in supporting the doctrines of the Romish church, &c." Enfield Hist. of Philo. 2. 360. Mosheim is equally pointed and severe. There is no temerity in saying that from the time of Charlemagne until the era of the reformation, these Platonic and Aristotelian theologians had not advanced real science one single step. There is a good account of them in Mallet's life of Bacon.

seen them stated. I have never heard them mentioned In truth, sir, they never had existence. I will prove to you—1st, that the restriction on the rate of interest throughout the Christian world was not founded on considerations of policy—2dly, that if it was so founded, it was nugatory and absurd.

Sir, permit me to remind you, that the Mosaic law had forbidden any interest whatever, in contracts between Jews.—After the establishment of the Christian religion, the clergy both of the Greek and Roman churches, differing as they often did on points frequently unintelligible and always unimportant, concurred in denouncing usury, or what was then understood to be the same thing, the taking of interest for money, as an offence not only against the principles of religion but of morality. How it came to pass that these ecclesiastical legislators, laid their pious hands on a subject so entirely unconnected with religion, I shall not stop, minutely to enquire. The miserable and abject condition to which the people of Europe were reduced, by the increasing power and wealth of the papal clergy, from a very early period, until the 16th century, will at once shew that they had extended their dominion to almost every transaction of human life, and to every condition of human existence.

Now, it is apparent, that these theological lawgivers were mistaken, both as to the law of the old, and the doctrine, of the new testament. It has been long conceded even by churchmen themselves, that the Mosaic law was a political precept, confined to Jews bargaining with Jews only. The people of that nation so understood it, and have always so understood it. For centuries they were the principal money-lenders of Europe.

It is equally clear, that the taking of interest, and of very high interest too, is not incompatible with the principles or precepts of the Christian religion. Extortion, it is admitted, is always condemned. It is condemned by the laws of all civilized countries, whether it manifest itself in a contract for money, or goods, or land: but that the receipt of interest was not deemed a crime, by the author of the Christian system, is demonstrated by the comparison drawn by himself, between the Christian religion, and the man who travelled into a distant country, and on his return, commended the servant who brought him ten talents for five, and punished him who had buried the money confided to him, and would not put it out even to interest.

Of all this, however, the people of Europe were entirely ignorant. The scriptures had never been translated, at least for their use; and if translated, could not have been read by the unlettered laity. They believed therefore what they were required to believe, and their humble piety, if it deserved the name, poured out its effusions, in a language of which they knew nothing. The councils of the clergy therefore met with no opposition, when they issued their canons and decrees, denouncing interest as a crime, and, in the language of Turgot, the legislation of Europe, was regulated by the prejudices, which they so solemnly inculcated.

Even in Great Britain, interest was prohibited until the 37th year of Henry 8th, who had defended the Pope against Luther, and then quarrelled with the former, for opposing on the ground of the validity of his first marriage, his entrance into a second. To the resentment of this arbitrary monarch the English are probably indebted for the first indirect sanction of interest on loans. In the reign of his father, Henry 7th, it had been expressly proscribed, and in the reign of his son Edward 6th the proscription was revived. This proscription was continued until the 14th year of the reign of Elizabeth, when interest over 10 per cent. was, as in the reign of Henry 8th alone, prohibited. In the reign of James 1st, her immediate successor, interest beyond eight per cent. was prohibited. There is a proviso in this statute, which merits attention. The proviso is that "the statute shall not be construed or expounded to allow the practice of usury in point of religion or conscience." Such was the influence of prejudice sanctioned by time. Thus even in the 17th century, the parliament of Great Britain, and its monarch, though long separated from the dominion of the Pope, doubted whether interest was not against conscience.—They therefore allow it indirectly only by prohibiting all beyond eight per cent. leaving the question whether any ought to be taken, to the conscience of the lender. Now, sir, mark the progress of opinion, slow indeed, but easily discerned. In the year 1546, when the first statute in England, in the reign of Henry 8th, was passed on the subject of interest, the taking of interest is declared by the preamble to be immoral and criminal. Still, though criminal, it was tolerated. Rather more than half a century passed away, and then it was viewed as a doubtful question, the decision of which was referred to the conscience of the individual.

On the continent, prejudices were still stonger, at least of greater duration. In the year 1700, the assembly of the clergy of France and the theological faculty of Paris, in conformity to a decision of Innocent 11th, condemned interest as entirely unlawful.

Even as late as the year 1770, a decree of the French king in the case of certain bankers of Angouleme, speaks of France as having no positive law authorising a stipulation for interest. Such, sir, was the influence on the minds of the legislators of the two most enlightened nations of Europe, of this absurd and fanatical perversion of the scriptures.

The effect was equally visible and equally pernicious even on the minds of the writers, who thought themselves qualified to instruct mankind by the publication of their opinions. A few instances will be sufficient. Grotius, whose mind was at least one century in advance of that of his cotemporaries, though at the same time greatly infected by the pedantry of the age, was so much influenced by the existing opinion of the world, that he expressly denounces interest, not as immoral, but as contrary to religion. This opinion he retained till after the publication of his book De jure belli et pacis; but he abandoned it afterwards, as we are informed in a note by his commentator to the original work, and supported that which now generally prevails.

Domat, who published the first volume of his "civil laws" forty years after the death of Grotius, and who received a pension from Louis 14th, as the reward of his great abilities, enters into a long dissertation to prove the immorality of interests. He concludes with these words; "all these proofs which shew that usury is not only unlawful, but that it is a crime, do likewise sufficiently evince, that their is no case wherein it is lawful, and that every covenant of commerce, *whereby interest* is taken for a loan, whatever pretext is made use of to color it, is a criminal usury most piously condemned by the law of God, and that of the church, and most justly punished by the ordinances."

To refute this opinion, as pernicious as absurd, an opinion which even the most ignorant of our

countrymen would treat with derision, volumes have been written. Even as late as the middle of the 18th century, the enlightened and scientific editors of the Dictionaire Raisonnee in France have employed no less than fourteen columns to prove that interest may lawfully be taken. The volume, which furnishes me with the opinion of Turgot already quoted, was written for the same purpose, as late as the year 1779 or '80.

I have stated these circumstances, Mr. Chairman, to which many of the same character might be added, for the purpose of shewing, how deeply this prejudice against interest had, in the lapse of ages, ages of ignorance and barbarism, taken root in the human heart. The canon law proclaimed it to be immoral and repugnant to religion, the civil law denounced it as a crime, and the writers of the highest character for morals and talents gave their sanction to the error.

What then could the legislator do, when experience had convinced him that the business of borrowing and lending was indispensably necessary in human affairs, and that it was in fact perpetually carried on in defiance of law, religion, and the prejudice of education. I say, what could a legislator do? What course would you expect him to pursue? Pass a law authorising what was declared to be immoral and irreligious; advance straight up to the truth, trampling as he went along on the opinions and prejudices of ages? Sir, it could not be expected. Such is not the march of the human mind. Its progress towards truth is slow. Opinions and prejudices imbibed in our youth are abandoned, when abandoned at all, with great reluctance. We are dragged away from them only by the irresistible force of truth, and we cannot leave them forever without casting many "a longing lingering look behind." All, therefore, that could be expected, was a compromise, between necessity, experience, and good sense on one side, and prejudice on the other. The circumstances which I have already stated, as to the statutes of Heury and James, seem decisive. The first statutory provisions on the subject, did not authorise the taking of interest, but prescribed a limit, beyond which the transgression would be punished. Such, sir, was the origin of what was called a restriction on the rate of interest. In truth, it was not a restriction, but an indulgence. It was an indirect sanction of the usage of the country to a certain extent, a sanction called for by the business and increasing commerce and transactions of the world; but a line was drawn in deference to old laws, ecclesiastical and civil, old habits, old prejudices. The legislation on the subject was, therefore, manifestly a compromise, and the demarcation of a limit was not the result of any profound, or even superficial, speculations concerning the relation between the rate of interest and the capital stock of the country, nor in truth from any consideration of policy whatever.

But it has been or may be remarked, that other nations, not Christians, had laws against usury.—This is true as to the Romans, probably true as to many other people. The first Roman law on the subject however is ascribed by Tacitus to the Decemvirs in the 302d year after the foundation of the commonwealth. Interest was by the twelve tables fixed at one per cent. Montesquieu is of opinion that Tacitus was mistaken, and that the tribunes brought forward this measure nearly 100 years afterwards. Gibbon indeed sneers at Montesquieu for his presumption; but Ferguson agrees with the latter, for reasons, which to my mind are conclusive. But whether the first law restraining interest was made in the year 302 or 308 A. U. C. no argument is afforded in favor of the policy of the restriction. The 12 tables constituted a barbarous code. Parents had a right to kill or sell their children, and creditors were authorised to put their debtor to death, and to divide his lands among them. It may further be remarked, that the men who prepared that code were conspiring against the liberties of their fellow citizens, and might reasonably calculate on pleasing one party by severity against debtors, and the other by reducing so low, the rate of interest for money.

If, on the other hand, the first proposition to restrain interest came from the tribunes, its origin was not on that account the more respectable. These men, in order to ingratiate themselves with the people, frequently proposed not only the reduction, but the extinction of interest, the abolition of debts, and the equal division of lands. In all these propositions, they were seeking popularity at the expence of the public good. Such was and such forever will be the character of seekers of popularity.—Decemvirs and Tribunes combined, afford but a slender sanction to any proposition whatever; to this, none.

But, sir, whatever may have been the origin of the system prescribing a general rule in contracts for interest—a rate beyond which lenders could not go, the limitation itself is ineffectual, and injurious. I say, sir, that the laws of all countries against usury have been both ineffectual, and injurious; ineffectual, because the supposed evil still continued; injurious, because this evil was increased in proportion to the severity with which it was pursued. The facts which I am about to state will illustrate both parts of the proposition.

The authority to which I shall first refer is Montesquieu. Remember, sir, that I quote him as authority for facts, and not for opinions. With his opinions, at present I have no concern, and I am glad of it. I confess that I do not feel for them, that profound respect which is generally professed; but in his veracity I have great confidence. (4) According to the Koran he tells us, and so do others, all interest is regarded as usury, and forbidden.—This is not merely a law of Mahometan countries, but a precept of religion. The government in those countries, we know to be absolute, and punishment is as severe as it is summary. The power of absolute government, and the influence of a religion, to which the people are enthusiastically devoted, combine to prevent the offence of taking interest for money. But interest *is* taken, and is augmented, says Montesquieu, in proportion to the severity of the prohibition.

(4) This remark about Montesquieu has been noticed in the public papers, and censured. It may not, therefore, be improper to state, that while I feel high respect for his abilities and information, and admire his "Spirit of Laws," which as a celebrated writer (Voltaire) observes, "if it does not always instruct the reader, always makes him think," I cannot admit that he is to be quoted as authority to *decide* a political question. Any claim short of that I am not disposed to controvert. I had before expressed the same idea as to Grotius and others. Treatise on expatriation—On this very subject Montesquieu has not reflected profoundly. In truth, every man who writes a volume, embracing a great variety of subjects, must make up many opinions just as he finds them in the world. Even Smith is not consistent with himself on this very subject.

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Hæc olim meminisse juvabit.—Virgil.

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I have before remarked that some of the Roman magistrates endeavored to gain the favor of the people, by proposing laws concerning the reduction and extinction of interest, and the abolition of debts. "These things," says Montesquieu, "naturalized "usury at Rome. All honest means of borrowing "and lending were abolished, and the most mon- "strous usury established itself, notwithstanding "the strict prohibition and severity of the law.— "Interest in the city was at 34; in the provinces at "48 per cent. Brutus himself lent money at that "rate." Ferguson takes a similar view of this subject, speaks of the same fact, and ascribes it to the same cause.

Adam Smith, whose opinions, though generally correct, are not always to be taken upon trust, lays it down as a *maxim*, in political economy, that wherever a great deal can be made, by the use of money, a great deal will commonly be given for it; and of course, that when little can be made, less will be given. This we all know to be true. In a country like ours, where capital is never at a loss for profitable employment, the privilege of employing that capital will be purchased at a high price. If, then, the market price of money will regulate itself, as the maxim supposes, how futile is the effort to regulate it by law. Smith tells us that it cannot be done. No law can reduce the common rate of interest below the lowest ordinary market rate, when the law is made. I quote this opinion with respect, because it is the opinion of one of the greatest men whose writings have ever enlightened the world, and with confidence, because it is confirmed by the uniform evidence of history, and by our own immediate observation.

The same writer recommends the statutory provisions in England on the subject of interest, because they *followed* the market, and did not attempt to *regulate* it. These provisions, so far as they went to fix a rate, where the contract expressed none, were certainly proper. The bill before you does this.

The history of England furnishes some very important facts in relation to this discussion. Edward the first, in the year 1215, influenced by the same barbarous and fanatic zeal, which had led him to Palestine, confiscated at a single stroke, the property of the Jews in England, and banished them from the country.—15000 were robbed and driven into exile. As it is impossible, continues the historian, for a nation to subsist without lenders of money, and none will lend without a compensation, the practice of usury was thenceforth exercised by the English themselves, or by Lombards and other foreigners, and was probably more since than it had been before. As the canon law, seconded by the municipal law, permitted no christian to take interest, the christian was to be paid not only for the use of his money, but for the *infamy* and *danger* which he incurred by the transaction. To take interest, says Bentham, was acting like a Jew. Now the Jews were not only persecuted without mercy but abhorred: so much abhorred, that when the victims of the royal edict were preparing to embark, multitudes were thrown by their christian enemies into the sea, and perished. What man then in that age would lend money on interest, without being indemnified against the reproach of acting like a Jew? The spirit of persecution against these unhappy people, if it ever existed in this country, has become extinct, but the comparison, to which it gave birth, is familiar even at the present day.

The same historian informs us, that Henry 7th not only enacted laws against interest, but against all profit on bills of exchange. It is needless, he says, to remark, that these laws could not be executed. What, sir, not executed by Henry 7th, a miser, as well as a tyrant? whose agents were active and eager in pursuit of penalties, and alike regardless of the means as well as mischiefs of extorting them? Yes, sir, such was the fact.—These laws could not be enforced. The power of the monarch; the vigilance of his agents, aided by a timid and subservient judiciary, availed nothing. Yet we go on in the same tract. We profit neither by the evidence of history, nor the admonitions of our own experience.

In the reign of Henry 8th, as we have seen, interest at ten per cent. was tolerated; but in the reign of his son, the prohibition was revived, and continued in force during the reign of Mary. Yet money was lent in defiance of the law, and of the well known character of Mary—and the common rate of interest was 14 per cent. If law, backed by religious prejudice, and supported by a powerful and ambitious government, could not restrain the exaction of interest, what are we to expect from such laws here, upheld by no such prejudice, backed by no such government, but on the other hand, condemned by multitudes as impolitic and absurd?

In Russia, we are told by Bentham, the laws are totally unavailing, and contracts are secretly made for interest at the discretion of the parties.

In England, the rate of interest is fixed at 5 per cent. yet, at this very moment, 10, 12, and even 15 per cent. are paid for money, raised by way of annuity, even with real security.

I know no country, but one, in which there is no law against usury. Mr. Locke states that in Holland there was no such law. Every contract stipulated the rate of interest to be paid; and whether the rate was high or low, the contract was enforced. Now, sir, what mischiefs must have been experienced by the people of Holland, if our laws are founded on wisdom and policy? What extortion must have been practised? How the money lender, restrained by no law, must have grown rich on the spoils of the necessitous and the extravagant, who, let it be remembered, are always necessitous! Sir, such must be supposed to have been the condition of the country, by all who think these restraining laws beneficial to the people. No supposition, however, could be more erroneous. The common rate of interest, even then, (about the year 1680) was 3 per cent.

But it may be said, Holland was a rich country, in which capital abounded: true—and that the low price of money arose from this abundance of capital: agreed. I contend for no more. Let capital

alone—where it abounds, it can be procured on cheap terms: where it does not, a higher price must be paid.—The price will regulate itself.

The testimony of Mr. Turgot, founded on actual observation, is equally conclusive. After enumerating the various heavy penalties against usury in France, he states expressly that it may with truth be said, that there is not a merchant, or banker, or person employed in the business of the king, who is not exposed to them. It is notorious, he says, that the current business of almost all France is done by negociation of this kind; and he mentions one very important branch of business which is carried on with money borrowed at 17½ per cent. to the satisfaction of the borrower as well as the lender.(5) Sir, if all this evidence be not sufficient, let us attend to the lessons of our own experience. Of what avail are our laws against usury? The instances in which they have an effect are indeed few in number; so few, as to be unworthy of notice. Sir, the law is not violated; it is evaded or rather avoided. The law operates on loans There is no such thing as lending money as a matter of business. Apply to a man who is supposed to be rich, and is so. Ask him to lend you money. He will smile at your simplicity. He has no money. It is all gone, he believes, like Sheridan's Jew, into the Sed Sea. But he will sell you public stock, or bank stock, upon your note at 60 days, and he will obtain in the price of the stock, the interest which he chooses to exact. Can you prevent this? Will you attempt to fix, by law, the price of every article of traffic? You know it could not be done without the ruin of all credit, and the stagnation of all business.

In the purchase of tobacco or flour, the purchaser frequently has nothing in view but to convert the article into cash for his immediate use. In the advanced price, which he allows for the credit, he pays the interest which he thinks the capitalist may properly demand. The flour and tobacco, as well as the stock, are immediately converted into cash, and often in a few minutes get back to the man who sold them.

None of these transactions are within the scope of the law. Nor does the law prohibit the purchase of notes at any price the holder may choose to take. This is now the form which pecuniary negociations must frequently assume. Of what avail, then, I repeat, is your law against usury? It has done no good—It never can do good—It aggravates the evil—It forces business out of its natural channel—It keeps every monied man, either scrupulous or timid, out of the market—It fixes a stigma on those concerned in it, and always present to their minds the idea of litigation and reproach.—For all this, the man who wants money must make compensation.

But let it be supposed, for a moment, in defiance of what experience so long, and so general has told us, that a law could be devised, sufficiently comprehensive to take in, not only all loans but all those cases which human ingenuity has substituted for them, and sufficiently penal to prevent usury and shaving in every possible shape. Let this be supposed, and what would be the result? I say (even leaving commerce out of view,) mischief incalculably greater. As long as accident, misfortune, or folly continues in the world, there will be men who will want, who will have, indeed who must have money. In the event supposed, how could it be obtained? Only by the sale of property. For this property the capitalist would give only so much as would *assure* him of the return of his money by another sale, with the expected profit. —This assurance would probably cost the seller at once 50 per cent. In fact so much property would be perpetually at market that a general depreciation and ruin would be the consequence. But it is needless to pursue this idea. The supposition which has been made is absurd—it never could be realized—but if it could, experience would soon demonstrate, that when money must be had, it is cheaper to raise it by purchasing cash articles for sale, than by selling property, which is not a cash article, and still cheaper to raise it by a direct negociation for a loan, where this can be effected in consequence of the character of the borrower; and that the negociation could be effected on the terms on which *it ought* to be effected, taking all the circumstances of each case into view, which the parties can do, if the laws, which cannot, would condescend to admit their incompetency. These truths appear to me to be self evident.

Sir, I lay it down as a proposition universally true, that the law ought never to attempt to regulate the price of any thing. This rule is indeed generally observed. It is founded on the most obvious policy. If the price is fixed, in conformity to the decision of the market, the interposition is useless; if it be not, it is disregarded. The regulation of tolls at bridges, mills, and turnpikes, forms no exception.—These are built by legislative permission, and the government may prescribe the terms on which the permission is granted.(6)

The only prices in this country which the law undertakes to regulate, are those of baker's bread, tavern rates, lawyer's fees, and money. They are all equally disregarded, as in fact they are all equally absurd. As to fees, what can be more ridiculous than the attempt to regulate by the same standard the price to be paid for the labors of Bœotian dulness, and the efforts of Athenian learning, genius and eloquence? What can be more inconsistent and capricious, than the provision which requires me to pay 50 per cent. more to one man than to another, though both in giving an opinion have performed precisely the same service.—Well has it been said that individuals profit little by experience, associations of men still less, and governments least of all.

I will submit another remark. It is, that all laws regulating the value of money, without reference to the market standard, and all laws restraining the exportation of money, have been proved by experience, like the laws regulating the price of money, to be unavailing. In ancient Rome and in modern Europe, repeated experiments have been made to raise the value of money, by giving a new denomination to the existing pieces, or by coining them over again with additional alloy. This act of fraud and tyranny has ruined creditors, public and private: but the standard value has always been regulated in the market by public opinion.

Upon the same principles, efforts have been made to keep the paper issued by governments at its nominal value. These laws have been entirely fruitless. All our tender laws and all our revolutionary patriotism could not prevent paper money from sinking to nothing. The French experiment with as-

(5) In London money is lent at 10 per cent. per day, to barrow women, who sell fish, fruit &c in the streets. Colquhoun, Police of London, 167.

(6) The attempt to regulate the wages of laborers in England was given up after experiments repeated for four hundred years. Smith, 1, 144.

signats, aided by a ferocious mob and a remorseless guillotine, terminated in the same way. In Great Britain during the late war, coin was a matter of traffic, and not of currency. A guinea was sold for 27 or 28*s.* in bank paper. Such sales were made indictable offences. The guineas were then clipt and sold, or melted and sold, at the market rate of exchange. The statute could do nothing. But mark the result. Peace came. The exportation of specie for the armies abroad in a great measure ceased—and it came from all quarters to buy the manufactures of Great Britain. In a short time paper was preferred to specie, and bore a premium. Things took their own course. The tide ebbed and returned again, as little affected in its passage by the laws of England, as the waves of the ocean by the command of Canute.

Equally unavailing, because equally absurd, have been all the laws that were ever passed to keep specie within the limits of the country; laws, says Hume, that have no other effect than to cause more to be exported. Spain and Portugal, as well as other countries, occasionally have tried the experiment; and precisely so far as it operated, has it been injurious to the industry of the country. In truth, sir, money is like a fluid, which will find its level; and interest, which is the price for the use of it, has the same invariable and irresistible tendency.

But, sir, the laws against usury are not consistent with themselves. There is no limitation as to maritime interest. A man may lend money at 50 per ct. for three months, to an individual who engages in a maritime speculation. The reason assigned, is that the principal is put in hazard. This is a mere delusion. The principal is not put to hazard. The voyage is insured; and the insurance if effected at the expence of the borrower.

The same inconsistency is observable in lending upon an annuity for life or lives. The monied man may obtain an annuity of 200*l* per annum, by advancing only 100*l*. The lives are insured so as to secure the rate of interest sought, and this insurance also is effected at the expence of the borrower. In this way money is now obtained in England at a rate calculated to be equal to from 12 to 15 per cent. How futile then to attempt to control the operations of money! It is at once the most powerful and the most subtile of all agents. How inconsistent to lay down a rule from which an exception is allowed, which renders the rule a nullity.(7)

It may also with truth be said, that the laws against usury have an immoral tendency.

The lenders are bribed to evade their contracts: the law distinctly tells them that if they can prove the usury when sued, they shall gain all that they have borrowed. The judgment shall be in their favor. But the same law tells them, that if they cannot prove the fact, which, if established in their defence, would afford them entire protection, they may go into chancery; and although the same fact be acknowledged by the lender, why then the borrower is to pay the principal lent, without any interest. Yet we regard all this as wise and moral; and I am afraid we should regard it in the same light if it were ten times more immoral and absurd.—Such, sir, is the influence of opinions, which we find established at our entrance into the world, and sanctioned by a general acquiescence.

But much, sir, as we, from habit, venerate the law in the abstract, its practical operation has been always odious. Sir, I have seen a borrower retire from the supreme tribunal with a decision in his favor. The instinctive honor of the by-standers has opened a lane for him to pass as if they feared contamination from his touch.

Sir, these laws are calculated to harden the heart of man. They offer him a premium for unkindness. You cannot lend your neighbor, however respectable, 100 dollars at the rate of 6¼ per cent. to save him from the loss and disgrace of an execution. But you are indemnified for this privation. The law whispers in your ear, let his property be sold by the sheriff, and you may buy it for fifty per cent. less than it is worth.

Sir, what sort of a law is that, the violation of which, is an act of duty, of sentiment, of virtue and honor, and the observance of which, would be deemed infamous by all mankind? Let me suppose, sir, that you are my friend—that you lend me money without interest, by the use of which I have grown rich and prosperous. You have relied on my friendship and honor to pay you when in need. The hour of need unexpectedly arrives. Your house and all your property are consumed by fire. I go to you, surrounded by your sympathising friends—I condole with you—acknowledge your services—but regret that I have not been able to raise any money for your relief, unless I had given more money than the law permitted to be taken. How would you feel? What would you say? Sir, I will not utter here what you would be authorized to say. I hasten from this view of the case. Let us take another. I carry with me all that you lent, with full interest, though you did not stipulate for interest. You know my situation; you know that I could not command so much money, without selling or borrowing. You kindly express your fears that I have made sacrifices to serve you. That is my concern, I reply, not yours. You afterwards learn that I have borrowed money at 2½ per cent. a month. I need not ask you how you would feel, nor what you would say.

Sir, where is the difference between interest on money, and interest in the shape of rent? Upon a house that cost me $10,000, I may get $1200 rent; but for 10,000 in cash, I can procure 600 only. I may sell land, houses, horses, any thing, for any price that I can get, without reference to what I have given. I may buy a house at auction, and sell it before I quit the ground, for 10, 15, or 20 per cent. profit, but my money I must part from at a price regulated by law. Why? because people are more ready to contract debts than to pay them; because borrowers are more numerous than lenders; and being generally poorer than lenders, are the objects of a sympathy to which the latter cannot pretend. The whole force of the statutes, therefore, is directed against the lender: and the borrower is invited to defraud him.

With respect to the price to be paid for the use of a house, of a slave, or any other thing, the law does not undertake to judge. It cannot judge; nor can it judge of the rate of interest between individuals. There are considerations peculiar to each transaction, which no general law can estimate. At one time a man, having money, may have an object in view of more value to him than any interest that could be paid; or of so much importance that no ordinary rate of interest would induce him to part with it. Of these things the law knows nothing. The borrower may want money for an immediate purpose, on which his credit, as a man of business, entirely depends. He may want money to enable

(7)The most palpable inconsistency is seen in relation to the banks; they lend, it is true, at 6 per cent. but they divide from 8 to 18 or 20 per cent.

him to bring a sick son from a distant college, or to carry the afflicted mother of his children to a place where health is expected to be found. Of the value of money to this man, the law can form an estimate about as accurately as it can of the ardor of his conjugal love, or the force of his parental affection. On the other hand, the lender may, in some instances, be influenced by the risk of delay from the law, and in others, of final loss from the situation or character of the borrower, or the nature of the security. Of all these things the law cannot judge. Blackstone himself admits this position. But then, he says, that the general inconvenience of parting with money, may be estimated by law; and on this ground he rests his vindication of the statutes against usury! The law can make a general estimate of the inconvenience of parting with money, but to make a particular estimate, it is admitted to be incompetent! But this estimate, according to Blackstone himself, would be insufficient, because the rate of interest does not depend, he says, on inconvenience alone, but also on the hazard of the transaction. To estimate one, therefore, without being able to estimate the other, is going but half way in shewing that a legal standard ought to be established. This defect, however, is a mere trifle. Blackstone has a great name. His book is quoted as authority; and we learn, when young, to regard his opinions with a reverence which often precludes all examination of their propriety.

But how can this general inconvenience be estimated according to Blackstone's theory? By going into the market, and ascertaining from merchants and others, at what price money is commonly obtained? No, sir: that course of proceeding, however obvious, would not answer. Truth, which lies in the high road, on the surface of the earth, is not worth finding. We must search, explore, and dig deep for it. Blackstone accordingly searches, explores, and digs; and the result of his labors is a discovery, that the rate of interest depends on the quantity of money in the country, "which a person, "*well skilled in political arithmetic*, might, *perhaps*, "calculate as exactly as a private banker can the "demand for running cash in his shop." I will not stop, Mr. Chairman, to animadvert on the palpable absurdity of erecting a theory so important on a foundation, of which the builder, I will not say *perhaps*, but certainly, was somewhat doubtful; but will remark at once, that the amount of money in a country cannot be accurately estimated; and if it could, that the rate of interest and the quantity of money have no necessary connection with each other. Two of the most enlightened political economists in the world have exposed the fallacy of this idea. They shew that the rate of interest depends on the amount of capital, and not on the quantity of money in a country. But we have no occasion to look abroad for evidence on this point. The quantity of money in the United States has of late greatly encreased; but we all know that the rate of interest has not diminished; nor will it be diminished while the means of employing capital in this new country continue as abundant as they are.

Sir, this restriction on contracts for interest, is not consistent with the first principles of our government. We hold it to be a fundamental position, that the people have understanding enough to know their own interest, and to take care of it. The legitimate object of all governments and laws, therefore, is, to protect men from the force or fraud of others, and not to protect them against themselves. This the law cannot do; and, whenever it assumes this sort of guardianship over men, it degrades and corrupts them without rendering service. How many laws would be expunged from our code, if the doctrine now advanced were more regarded? In the instance before us, the folly of this guardianship is apparent. A man cannot borrow at 7 per cent. per annum, but he may sell for cash at a loss of twenty per cent. in an instant.

The effect of repealing these laws will be eventually to lower the rate of interest. It has been already proved that penal prohibitions increase it. If this be true, the removal of the penalties will reduce it to the point from which the penalties raised it. Another consideration still more important is, that every man who can spare money, will lend it. A vast proportion of the monied capital of the country is now kept out of employment, because the legal rate of interest is so far below that of the market. Open then the market to all. Let the business be done in the face of day, in the presence of witnesses, between the real parties of the transaction, and not as now, in secrecy, by a third person, the lender afraid, and the borrower ashamed to appear. Yes, sir, open the market, and the competition will soon fix the standard of interest lower than we have ever yet seen it.

The inconvenience arising from this measure would be temporary. Let us suppose, the law being repealed, that the market opened at 20 per cent! Such I am persuaded would not be the fact; but let it be assumed as true—I am willing to take any supposition—the consequence is obvious. Every man that had money would lend it, and others would be for converting their capital into money, that they, too, might share in the golden harvest.—In a little time the market would be glutted—lenders would be looking out for borrowers, and the price of money would come down as low as the demand for capital would permit it to come. Money would pour into the country from every quarter, and never cease to flow, until interest was reduced to its proper level. Be assured, sir, great profit never can be made for a long time in any business in which money, and money only, is required.

But it will be said, shall we give up the people a prey to usurers and extortioners? I answer, no. Give them up to themselves. Let them alone. Let them manage their own concerns in their own way. You have had your turn. You have been trying for ages to take care of them. Your experiment has uniformly failed. It is time now to make a different experiment. If it fail, also, you can easily get back to the ground you left. No harm can result from leaving, for a short time, at least, the path in which you have travelled so long, without being nearer to the object, than when you sat out. It is time to abandon the pursuit. Are you not complaining at this very moment of usury, of shaving, of extortion? And is not this fact, independent of all other circumstances, sufficient, of itself, to justify a suspicion, that your own laws are, in a great degree, the cause of the mischiefs you condemn? It is wonderful, says the author of the Police of London, when we reflect on the various institutions, unparalleled in point of extent and munificence, for the relief of the poor of the metropolis, that their *miseries are not alleviated*, and that their *morals should grow worse?* Good man! he little thought that much of the misery and vice which he deplored, inevitably arose from the institutions which he admired. (8)

(8.) Perhaps my doubts, or rather opinions, as to the poor laws of our country may also be deemed heretical. These laws have been in England, what

Shall we give up the people a prey to usury? Sir, this question is propounded in the very spirit of the tyranny and bigotry of the 15th and 16th centuries. What, shall we give up the land to heresy, to impiety, to blasphemy? Shall we suffer infidelity to unfurl its standard, and seduce the people from their allegiance to the living God? No. We will save the souls of our fellow creatures from perdition, and punish the wretch, who perversely abandons the faith of his ancestors, the faith in which he was brought up. Well, sir, the pious experiment was made, and thousands, aye millions, of human beings became its victims. We now see its folly, and deplore its cruelty; and in this country, we hold it to be the most clear of all truths, the most sacred of all principles, that every man should be left, on the subject of religion, absolutely free. Strange inconsistency! You permit every man, and it is your boast, and happiness, and glory, that you do permit every man to adjust in his own way "the vast concerns of an eternal world;" yet, he cannot make a bargain for 100 dollars without your peeping over his shoulder, to see whether he gives a quarter of a cent too much.

But we have been told, this is a most "notable discovery." We are wiser than our fathers. We have just found out, that laws which have existed for ages ought never to have passed. To speak plainly, Mr Chairman, I think we *are* wiser, much wiser than our fathers. The art of printing has made some difference between the people of the 19th century and those of ancient times.—We are wiser than they were in the time of the Crusades—wiser than they were, when the judgment of a court depended on the result of a single combat—when women were burnt to prove their chastity, or drowned to prove their innocence to whitchcraft—when the bishops could not write, and statesmen could not read—and when the incendiary or the murderer was safe, if he could reach the sanctuary of the church.

Sir, the sarcasm which I have just stated, is the most formidable argument that I expect to encounter. It is an argument of very ancient date, and of very general use. It has been invariably resorted to by those who, from bigotry or interest, have opposed the progress of science and the reformation of mankind. A few examples will illustrate the character of this sort of argument.

When Galileo, in the 17th century, revived the system of Copernicus, and boldly made the sun the stationary centre of our system, oh! says the chief of the inquisition, this is almost "notable discovery;" You are wiser than your ancestors—wiser than Joshua. The sun, instead of standing still at his command, has been always stationary. This is a wonderful discovery, and entitles you to a distinguished station in one of the cells of the inquisition. To this punishment this great man was twice condemned, and he was compelled to abjure the very doctrine which has rendered his name immortal.

The case of Harvey, who discovered and demonstrated the theory of the circulation of the human blood, cannot have escaped your recollection. No physician in Europe, over 40 years of age, would admit it to be true. The faculty could no submit to the idea of having spent their lives in ignorance of a fact so important and interesting in the animal system of man. They persecuted the author as an innovator, as a maker of "notable discoveries;" and his practice as a physician was greatly diminished.

With what effect might this argument have been urged in the reign of Henry and Elizabeth against the toleration of interest! How many more years of want and misery might Europe have experienced, if it had been urged against the repeal of the ancient laws prohibiting the exportation of grain, and even the transportation of it from one province to another?

Sir, there has been a great deal of useless legislation in the world, which might have been defended by the same sort of argument. At one time, the people of England were harassed with sumptuary laws. They are now abandoned. Laws have been made to produce conformity in religion. They are in a great measure abandoned also; here, thank God! utterly abandoned and abhorred. Laws have been made to punish monopolists of corn. Men have profited by experience; aye, sir, grown wiser than their fathers; and those monopolists, though having nothing in view but their own emolument, are now regarded as real benefactors of the country. In former days, men were as zealous and as active in legislating, and in writing, and in speaking too, against any interest, as they now are against interest beyond a certain point. That error is now universally exploded. Let us take one step farther, Mr. Chairman. Let us leave men to themselves in making their own bargains, and free ourselves entirely from the fetters with which fanaticism and folly have so long bound us.

One remark more, Mr Chairman. It has been already stated, that the insecurity of contracts naturalized usury at Rome. This fact affords a most valuable lesson; (9) a lesson teaching us never to interfere with contracts but for the purpose of inforcing them. Rely upon it, sir, as an unquestionable truth, that this assembly can never pass a law, impairing the obligations, or suspending the execution on contracts, without making men more anxious to keep their capital in their own hands, and of course more exhorbitant in their terms for parting from it. I repeat, let the people alone in making their own contracts, and let alone the contracts when made.

Cobbett calls a blistering shirt; in several places in the United States they are very busy in making the same shirt—In the city of New York particularly, it seems as if they had already thrown the two main parts over their shoulders. They will find in a few years that they must add sleeves and wristbands, and a *collar* to—It is impossible to read the travellers Young and Townsend, or Smith and Malthus, without imbibing a very strong suspicion, if not conviction, that the present system of poor laws is radically wrong, particularly under a republican government. The fact stated by Colquhoun to be so wonderful, is worth a whole volume of speculation—This is another "notable discovery." I know not who has the merit of it—Malthus has no claim. Lord Kaimes forty years ago, called the first statute authorising a tax for the relief of the poor—"a fatal blow;" and he refers to the author of Angeloni's letters as having the same opinion, and also to justice Fielding, than whom no person had a better opportunity of deciding on the policy and effect of the poor laws. But in the United States we never examine into these matters. Systems, ready made, especially of English manufacture, get into fashion at once; whether they fit or not is immaterial.

(9.) I hold no political proposition to be more clear than this—"that all indulgencies experienced by debtors, whether arising from a defective administration of the law, or from the occasional interposition of the legislature, are injurious, not only to the morals but to the interests of the people, particularly the debtors, and have an influence as pernicious as inevitable on the price of money."

Editorial Notices.

☞ *To correspondents.* The state of the editor's health is such as to require all possible relaxation from the labors of the desk. The various *business* of the REGISTER employs eight or nine hours *per day*, and oftentimes more, and the consequence is, a return of the complaint he had in 1814—a pain in the breast, with a great debility of his system. These were relieved in the summer and autumn of that year by moderate exercises and amusements in the open air, which must be resorted to again. It is hard to spare the time necessary for this purpose; but it must be spared—and as business cannot be neglected, he has resolved as much as possible to avoid the writing of letters and especially of *long ones*, which the friendly correspondence of many gentlemen has hitherto made it rightful and courteous that he should write. He entreats, however, that such will not deprive him of the pleasure he has always felt in *reading* their communications; and that they will believe that nothing but the *necessity* of the case could induce him to decline a full reciprocation of their kindness and politeness to him. He hopes that as yet the disease is not seated too strongly to be removed by *as much* relaxation as ninety-nine hundreds of his fellow-citizens enjoy. ☞ *A little attention to the contents of a late circular from the editor, would very much contribute to this*

The *statistical facts*, &c. with which it was proposed to continue a series of essays on POLITICAL ECONOMY, are industriously preparing—and are expected to amuse, if they shall not instruct, the readers of the REGISTER.——"Stubborn figures" are hard things to reduce to order and harmony—but, when rightly fixed, are stumbling blocks, indeed, to enemies of truth.

Banks and Bank Notes.

Our banking institutions have raised up an aristocracy that portends a fearful prostration of the public rights and private independence of the people. Ostensibly designed for great and noble purposes—to assist the operations of industry and encourage enterprise, they are more and more becoming sinks of speculation and tyranny—centre points at which some interested in them, insiduously and *dishonestly* collect their unholy profits upon the *necessities* of the poor—mere facilities for brokers and money-changers. Of all sorts of tyranny, deliver me from that of AVARICE!

Our citizens are becoming indignant at the unnecessary sufferings and losses occasioned by and through these institutions; but, unhappily, they have not the power or want the courage to do what they would to redress them. They see the worthless and unprincipled rearing princely fortunes by speculation, and repine that honest industry languishes and is *compelled* to contribute of its scanty means to the wealth of the undeserving—drones of society, that ought to be expelled from the hive.

What is it that has given to banks a sort of exclusive privilege to become *bankrupts* or shuffle off their engagements? The people submitted to their non-payment of their debts for about three years, during which the *prudent* institutions, by issuing their paper and purchasing stocks of the United States, made vast sums of money; which we must redeem at its par value, with interest. PUBLIC OPINION then supported them in refusing specie payments, for the public good seemed to be concerned in it—and PUBLIC OPINION must now put them down, for the needless oppression and vexation they subject us to—and for the partial advantages that they give to the few at the expence of the many. I am in possession of some disgraceful facts as to the latter which I dare not publish, lest they might ruin the *friend* who communicated them; for the state of the case is so that *suspicion* would light upon him; and to be "suspected of being suspicious" by the banks, is as ruinous to those dependent upon them, as it is for any man in England to be so regarded by the *magnanimous* and *merciful Castlereagh*, under the act for suspending the *habeas corpus*.

It is not enough that we the penple are every day subjected to the receipt of counterfeit notes, or of those of small denominations altered to pass for those of greater denominations, which are "as plenty as blackberries," and so artfully done as almost to defy detection even by those who may be considered good judges of them—and that we, for three years, took their *paper* without interest, and at a sacrifice of from 15 to 20 *per cent.* on it, compared with *money*,* while they made us pay interest on every scrap of paper they took from us; but that we should still be plagued and wronged by their *arbitrary* and *useless* rules in receiving or rejecting such notes of other banks as they please, which the very nature of their institution has made the medium of the commerce of the country? When reciprocity fails there is an end of obligation—and if every thing like favor is to be extended only *to* the banks, we have arrived at a pretty predicament indeed.

Cases like the following belong to almost every section of the United States, and happen, more or less, with nine-tenths of the persons in business in the neighborhoods of banks. I instance *Baltimore*, not because it is singular, but merely for example.

The bills of the banks in the District of Columbia are 1 to 1½ per cent. below par in Baltimore; and the bills of the Baltimore banks are 1 per cent. below par in the District. Those of the state bank of North Carolina are 4 per cent. below par in Baltimore; and those of Baltimore at about the same discount in North Carolina: in respect to those of South Carolina, Georgia, &c. it is somewhat the same; and it works thus every where. WHY?—is it because the banks reciprocally suspect the solvency of each other? By no means. One of them is probably as good as the other; and the southern banks, especially those of South Carolina and Georgia, are, naturally, the most likely to be the best off of any of them. Whence then comes the refusal to receive each other's notes? I have exercised the charities of my heart to make an excuse for them—one throws the blame on another; and we must conclude that this unpleasant and oppressive state of things, comes of their own folly or of the craft of those managing them, to carry on the business of *shaving* bank notes. Since I began to write this article, I have paid as much *discount* on bank notes to get *Baltimore* paper, as my semi-weekly marketing costs me; with which, if I had been at the places where those notes issued, I might have received as great a premium if I would have taken the said *Baltimore* paper, jointly making a difference of *ten per centum;* which, in less speculating times, was considered a good interest for a whole year's employment of capital. A few days ago I passed at one of our banks a $50 *Boston* note as a *favor;* which, some time since, would have brought me $62½ in Baltimore paper. The difference between these I lost on such sums of the last named, during the suspension of specie payments; because with the specie which the banks ought to have paid to me, I could have realized it in procuring so much the greater

*It is an established principle of law that bank notes are not money.

value of commodities that I wanted—yet my Boston note was received as a *favor!* I will not give the *cause* that brings about such results the name it deserves, lest it might seem ungenteel!*

To make the enormity the more manifest and shew the extent to which it might be carried, (and it may as fairly go in its utmost length as have its present operation,) let us suppose that the bank of the United States and its offices should refuse to receive any other as money than their own bills. The immediate consequence would be that those of almost every other bank in the United States, would depreciate from 5 to 20 per cent. or the merchants and others, having bonds and notes to pay at this bank and its branches, would have to let them lay over: for although the most of our old banks are admitted as clearly solvent, they, no more than individuals, can suddenly meet the payment of all that they owe, for they cannot suddenly get in all that is owing to them—and, if they have not more owing to them than the amount of their capital, the business would not yield the stockholders more than 3 to *5 per cent. per annum*, let it be handled as carefully as it could be, instead of 8 or 10, as their dividends generally give them.

The pretence for the present conduct of the state banks, I am told, is because the United States' bank makes them pay interest on their notes that they cannot redeem.† Without presuming to decide on the merits of this arrangement, let us broadly ask —why should they not? They will not give the people the use of their money without paying interest for it; and can they expect that their notes should lie dead in the vaults of the bank of the United States—and especially so when they refuse the like favor in the receipt of those of each other? "It is a bad rule that will not work both ways."

But it may be said—if you dont like the banks, refuse to have any dealings with them or to take their notes. We have a parallel for this in the *eloquent speech* of a certain member of the British parliament who, in his place, descanting upon the blessings of England, roared out "if any man don't like England, why d—— him let him leave it." If the people could leave England—if they could give up all the ties of country and kindred, and had the means of emigrating, with *liberty* to do so, the "*honorable* Jack Fuller" would soon feel the necessity of withdrawing his *generous* license. But Jack was not a fool—he knew well enough that the people could not emigrate if they would. So it is with our banks: It is as hard for us to divest ourselves of business with them as to leave our country —and it is therefore our duty to reform them.—They grew up out of the indulgence of the people, and the people ought to see that that indulgeance is not used to the general injury.

After the evils entailed upon our country by negro slavery, there are none, in my opinion, is so fatal to the *freedom* and prosperity of the people as the multiplication of the banking establishments. Long will Pennsylvania mourn her disrespect of the warning voice and veto of her excellent governor SNYDER—a man whose name I print in capitals in token of my regard for many acts of his administration, but especially for his refusal to sign the bill for *littering* banks in that commonwealth. But (and heaven be praised for it!) we may yet reduce the banks to a proper number—there is a period to their charters; and certainly, laws may be passed, and PUBLIC OPINION, more powerful than the law itself, receive such a direction as to keep them, and *money-shops* having the semblance of them, in due bounds. To assist in giving public opinion such a direction, I feel to be one of my duties—as an honest politician who never yet bowed to any shrine but what was supposed to be that of TRUTH, and whose knees are now too stiff to kneel to *Plutus*, whose altars seem ready to supercede those of the MOST HIGH, and certainly are the best attended. I know very well that these remarks will not please some of the priests that officiate in the temples of the god of money; but I care not whether they are pleased or not, if the remarks are just; for in that case I can cast myself upon my own conscience and rest with faith on my countrymen to bear me out in making them. And further, it should be remembered that I was among the most zealous of all men to support and to the utmost of my ability did support, the banks in their refusal to pay their debts while it appeared that the country's good required it, and cheerfully suffered an extra share of the losses occasioned by the depreciation of their paper. But now, in the present altered state of things, when I see *speculators* and *stock-jobbers* and *money changers* fatted like stall-fed oxen by a sequence of things that was *permitted*, against law and justice, by the *patriotism* of the people, it cuts me to the quick that I still suffer, and am so entrammelled by these that I am compelled to sacrifice *(and to them!)* at the rate of *three* or *four* hundred dollars *per annum* of my hard-gathered earnings, in discounts on bank paper, received at par, and as good, if not better, as that which they have been pleased to fix upon as the standard of value. For so it is with me that I must allow them whatever they please to ask to exchange it.

The things that are here spoken of are as freely discussed and as severely reprehended in every private circle; but so it is that the PRESS, which should bring about a reformation of abuses, is so fettered that it *dares* not move in the business:* the speculators form a considerable part of what the newspaper editors call "*their advertising patrons*," whose delicate ears must not be offended, less they withdraw their support! It is thus that the press is too generally *regulated* in our commercial towns, and *managed* as carefully as if it were under the direction of a royal police. Whip me such servility!—"I'd rather be a dog and bay the moon" and throw my types into the river and jump in after them myself, than be an editorial slave to such men.

*I may add, also, that many, residing in those parts of the country where Baltimore paper was at a discount, thought they fulfilled the extent of their engagements to me by paying me with it; of which I could not complain.

†The banks have resumed specie payments rather in theory than in practice. They make no ceremony in cutting down any man's note at will—but regard every man as an *enemy* that asks them to meet their own obligations. Of all the traders in Baltimore, how many is there that *dare* demand of a bank the payment of a solitary thousand dollars of their notes? *Not one in a hundred.*

Historical Subjects.

We most heartily approved the resolution of congress for employing Col. *Trumbull* to execute four large historical paintings, to represent as many events in our revolution—believing that they would have a powerful tendency to keep alive the feelings of that glorious period, and be instrumental to the raising up of a *national character.*

*I speak generally, for there are a few, (and but very few) honorable exceptions.

An enlightened legislature will always regard these things as important, for they are of countless value in giving strength and efficiency to a people. And, in many ways, they may be considerably promoted without cost, if any are disposed to put dollars and cents in the balance against them; which I am not, if any thing like moderation is observed. We are clearly of opinion that much money might be appropriated to such purposes with more real advantage, than almost to any other.

Among the cheap means for effecting those desirable objects, we with pleasure observe the course that has been pursued in regard to our vessels of war. The first ship of the line that we built is called the *Independence;* the second, *Washington;* the third, *Franklin;*—and the names of our frigates and smaller vessels are, generally, significant and interesting. There is a use in *names*—we cannot pronounce the name of any thing without the mind being led to its subject. Every man, woman and child is, as yet, familiar with the names, *and the meaning of the names*, just given; but the time may come when the people shall be less so than they are now—and the want of a warm and *general* remembrance of many illustrious men and most important events, is already to be regretted. *Lexington, Bunker's-Hill, Saratoga, Trenton and Yorktown*, (and names of places ought to be preserved as well as those of individuals) with others, would lead the youth of our country to the happiest enquiries into its history. *Lexington* would direct his mind to the beginning of the contest in arms for freedom; and with it he would associate the name of *Samuel Adams,** who planned or brought about the last appeal, which he saw was inevitable, under the most favorable circumstances; and of the brave yankees, who there "first put the British troops to school," and taught them "the *manual* exercise of *heels;*" and desire to see the monument standing there inscribed, "SACRED TO LIBERTY AND THE RIGHTS OF MANKIND!" and preserving the names of those who fell on that occasion. With *Bunker's-Hill* he would remember *Warren*, who died there, and learn to estimate rightly the prowess of a people determined to rescue themselves from oppression. With *Saratoga* he will feel his soul elevated in the consideration that there a numerous and well appointed British army first surrendered on American ground, while *Gates* and *Arnold* and *Stark*, and others, will rush through his mind, with various and mixed emotions. To *Trenton* he will travel in idea with *Washington*, and partake of the gloom that then overcast our prospects; will track the soldiers by the blood from their badly clad feet that covered the frozen earth, and his pulse will beat quicker by the capture of the *Hessians*, who had been imported to exterminate the "rebels," as *Washington* and those who acted with him were then designated. With the name of *Yorktown* how must his patriotism be roused! here was the ending, as it were, of what had been begun at Lexington; a *second* British army surrendered, and "the most noble marquis *Cornwallis*" delivers his sword to "*Mister*" Washington, as the British called him until after that memorable event; and he will partake of a part of that feeling that led a venerable friend of mine, resident in Philadelphia, to rush from his bed into the street, in his shirt, when he heard the honest Dutch watchmen call out—"*Bast doo o'glock, and Gornwallis is taken.*"———

But where am I? I had forgot that I had taken up the pen simply to introduce an extract or two from some remarks on the proposed paintings in the "Examiner," a late London newspaper.

Commending the procedure, the editor says—

"And how much longer will England turn her back with stupid apathy against all propositions for the public commemoration of great events by historical painting? Has she nothing worthy to commemorate? And even now, when there is an opportunity to employ the genius of the country to illustrate its greatness by pictures in the Waterloo and Trafalgar monuments, it is on the point of being decided that a senseless column, and a more senseless tower, are the most fit objects on which genius can display itself to illustrate such great events."

"The American congress have done themselves honor by their energy and decision; and if they wish to do good to their country, they must not end here; they must not be content with one vote of four pictures, but persevere and adorn in succession all their public buildings by successive votes, so that the young American artists, studying in this country and in others, may go on with the glorious certainte of being employed, if they display genius on their return home. The American congress have done more for the arts of America, by the confidence this single vote will give, than if they had founded academies in every town, or sent one hundred students to Europe for improvement. Success attend their energy and sense! Not all the examples in France and in Italy, to which our nobility crowd for refinement, and where every church and hall and public building is filled with pictures, have ever had the least effect!"———

——— "Not all the advice, not all the entreaty, not all the arguments, of all the enlightened part of the country, have ever had the slightest effect on the British government to protect painting; and now America, with a foresight and energy worthy of Greece, has set them an example, it should have been their glory to set her."

[He then goes on to give an account of the want of patronage to British artists, and details the privations and difficulties they have encountered to live, &c. which, though interesting, is foreign from our present purpose and omitted.]

National Law Case.

FROM THE CHARLESTON PATRIOT.

Decision of the hon. Langdon Cheves, in the case of Andrew Rhodes, delivered at Chambers, on a writ of Habeas Corpus and Subjiciendum.

EXPARTE—ANDREW RHODES.

The prisoner is brought before me, at Chambers, on a *writ of Habeas Corpus ad Subjiciendum*, and the officer in whose custody he is, exhibits as the authority by which he detains him, a warrant of commitment under the hand and seal of John Hinckley

* *S. Adams* did not *personally* act in the battle, though his bold spirit was there. He was convinced that the time to strike had arrived,—and knew that time was only to be taken by the *forelock*. He therefore planned it that the militia should be collected, and then intrigued to have them attacked under circumstances in which it was probable that the royal troops would be worsted; for he was so situated and so closely watched, that his whole scheme of revolution might have been defeated if he had *openly* acted to bring about that affair. The revolution, perhaps, owed more to *Samuel* and *John Adams* for its commencement, than to any other men in America. They both possessed invincible perseverance, courageous minds and sound politics—and looked boldly at INDEPENDENCE before it was dreamed of by the most of those who aided in accomplishing it.

Mitchell, a justice of the peace of this state, on a charge that the prisoner hath forged or counterfeited a number of protections for American seamen.—This, it is believed, is no offence against this state; but is an offence against the laws of the United States.

I am called upon, on the part of the prisoner, to discharge him from custody, under this warrant, because it contains no accusation under the laws of the state, and it is contended, the magistrate who committed him, being an officer of the state, had no authority to commit him for an offence against the United States, because the 33d section of the judiciary act, (I vol. laws U. S. p. 72) which in its terms authorizes such commitments is unconstitutional.

It is contended:—

1st. That by the 1st section of the 3d article of the constitution of the United States, "The judicial power of the United States shall be vested in one supreme court, and in such inferior courts, as congress shall, from time to time ordain and establish"—and that this judicial power in criminal cases is under the constitution, exclusive of the authority of the states:

2d. That the act of granting all warrant of commitment is a judicial act, and therefore, in cases under the laws of the United States, to be exclusively performed by an officer of the United States:

3d. That it is my duty as a judge of this state, under the Habeas Corpus act, to take cognizance of this case on the grounds stated.

1st. All these questions are important and difficult; and the first is of peculiar importance. It has been a controverted question from a period anterior to the adoption of the constitution of the United States, and still remains unsettled, and I am happy to be relieved by the opinions I have formed on the other questions, which the case presents, from the necessity of deciding this.

2d. Is the act of granting a warrant of commitment a judicial act?—I think it is not. I am aware of a late decision (the case of Joseph Almeida, in Maryland) in which this question has been determined in the affirmative. In this opinion I cannot concur. The only authority which is relied upon to support this opinion, is a single expression contained in the decision of the supreme court of the United States, in the case of the United States vs. judge Laurence—(3. Dallas' rep. 53.) This authority, it is evident, has been misconceived. That was a case in which, under our consular convention with France, judge Laurence, who was then the district judge of the United States for the district of New-York, had been required, by the vice-consul of the French republic, to issue a warrant for apprehending captain Barre, commander of the frigate Le Perdrix, belonging to the French republic, as a deserter. The judge was of opinion, that before the warrant could issue, the consul should prove by the register of the ship or roll d'equipage, that captain Barre was one of the crew of the Le Perdrix. The consul offered other proof; but the judge thought this indispensable; whereupon an application was made to the supreme court for a mandamus, to compel the judge to issue a warrant. The court, in deciding the case, refused the mandamus, and in giving their reasons, say—"It is evident that the district judge was acting in a judicial capacity, when he determined that the evidence was not sufficient to authorize his issuing a warrant." It is very manifest that it is to his judgment on the evidence the court allude, when they say he was acting in a judicial capacity, and for that reason they refuse to issue a mandamus, and founding their judgment on this distinction, they virtually declare, that the granting a warrant of commitment is not a judicial act. I am aware it may be said, as all commitments must be founded on some evidence, in all cases of commitment a judicial act must be performed. There is certainly an opinion to be formed on the nature and sufficiency of the evidence adduced; but if such an exercise of the mind be a judicial act, then almost every function of all the inferior officers of justice will be judicial, and even constables, who have, in certain cases, the power of commitment, will be judicial officers. This is preposterous. There must be some more correct view of the subject, and to obtain it let us resort to authorities. Our object is to ascertain whether the function of a justice of the peace, in granting a warrant of commitment, be judicial or ministerial? It is not denied, that a justice of the peace does possess certain judicial powers, but it is denied that the granting a commitment is a judicial act. We must carefully distinguish between the original duties of a justice of the peace and those which have been subsequently imposed upon him—The first constituted him merely a conservator of the peace—the latter have made him a judicial officer—the first authorized him to apprehend and commit offenders—the latter, in many cases, have conferred upon him the power to try and convict.

Sir William Blackstone, (1 com. 351) after speaking of the occasion of the first appointment of these officers, says—"It was ordained in parliament that for the better maintaining and keeping of the peace, in every country, good men and lawful, which were no maintainers of evil, or barretors in the country, should be *assigned* to keep the peace; and in this manner, and upon this occasion, was the election of the *conservators of the peace* taken from the people and given to the king; this assignment being construed to be by the king's commission: *But still they were only conservators, wardens or keepers of the peace* till the statute 34 Ed. 3, c. 1, gave them the power of trying felonies, then they acquired the more honorable appellation of justices."

"The power, office and duty of a justice of the peace depends on his commission, and on the several statutes which have created objects of his jurisdiction. His commission first empowers him singly to conserve the peace; and thereby gives him all the power of the ancient conservators at the common law, in surpressing riots and affrays, in taking securities for the peace, and *in apprehending and committing felons and other criminals.*" (id. 353, 354.)

Who are these conservators of the peace who possess the same authority to *commit* as justices of the peace? Are they judicial officers? Among others, sheriffs are conservators of the peace—"Constables, tithingmen, and the like, are also conservators of the peace within their own jurisdictions; and may apprehend all breakers of the peace, and *commit* them till they find sureties for their keeping it:"—(Jacob's law dict. tit. *Conservator of the peace*, vol. 2, p. 26.) "Conservators of the peace did *commit* at common law, and it was incident to their office, as it is to the office of justices of the peace who are not authorised by any express words in their commission, but do it, *ratione officie*," (15 Vinar 8 Tit. "justices of the peace."

"It seems that the power of such conservators of the peace, whether by tenor, election, or prescription, was no greater than that of constables at this day, unless it were enlarged by some special grant or prescription—(ibid 4.)

"Holt. ch. I. said he knew not whether, at first, justices of the peace were more than high constables; but the statute that made them complete judges is that of 34 Ed. 3."—(Ibid.)

Lord Hale, in his *analysis of the law*, after having said that there are two kinds of subordinate civil magistrates; those that have a power of jurisdiction, and those that are without jurisdiction, says:—The persons that exercise this power, or jurisdiction, are called judges or judicial officers," (sec. 11, p 26, 27;) and in sec. 12, "of inferior majestrates *sine jurisdictione*"—(p. 29) he speaks thus: "The sheriff of the county is the greatest ministerial officer; and I call him magistrate because he is a conservator of the peace of the country, &c. &c. &c." "Constable and head constables. These, though they have not *any jurisdiction to hold cognizance of any fact*, yet are *conservators of the peace*."

Dr. Sullivan in his commentary on magna charta, speaking of the warrant of commitment, says, "Thirdly, the warrant must not only contain a lawful cause but have a legal conclusion, *and him safely keep until delivered by law;* not until the party committing doth further order—for that would be to make the magistrate, *who is only ministerial, judicial*, as to the point of the liberty of the subject" (2 vol. Lectures on the constitution and laws of England, p. 266.)

I presume I have now established beyond all doubt, that the act of the magistrate, in granting a warrant of commitment, is a ministerial and not a judicial act. It may be useful, however, to spend a moment longer on the nature of that judicial power which is spoken of in the constitution.—There are functions to be performed by inferior magistrates, commissioners and other like officers, which leave in them a *discretion*, which in that particular, resembles judicial authority, but is not of the nature of that judicial power which forms one great branch of government. It is the latter, which is spoken of in the constitution. It is that which lord Hale defines to be "a power of jurisdiction," and of which he further says, "the persons who exercise this power or jurisdiction are called judges or judicial officers; the places or tribunals wherein they exercise their power, are called *courts;* and the right by which they exercise that power is called jurisdiction." (Analysis, sec. 11, p. 26, 27.) He then goes on to enumerate the superior and inferior courts of England, and gives us a clear and distinct idea of what may be embraced, and what is meant by the 3d art. of the constitution on this point. They both mean to speak of trial, judgment; emphatically of the administration of justice, and not the little functions and functionaries, which are merely incipient and ancillary to this great essential power, which are inseparably incident to it; and can with no propriety be called implied powers.

If it has been proved that the act of the magistrate in commiting an offender is a ministerial act, then the ground on which the counsel for the prisoner has put this argument, which is the same relied upon in the case of Almeida, though he has enforced it with ability and eloquence, entirely *fails*.

The only question that remains is, whether the legislature of the United States has a right by a statute forbidden by no provision of the constitution of the United States, to give a limited authority to conserve the peace to one or more of the citizens and subjects of the said United States; who happen at the same time to be conservators of the peace of the state? If not forbidden by the constitution of the United States, what other power can forbid it? That constitution expressly forbids all it does not authorise. If not so forbidden, the statute is the supreme law of the land. All the minor arguments of expediency, such as blending jurisdictions, neglect of state duties, want of responsibility and others of the same description, are of little weight in themselves, and are not for judicial, but legislative consideration. Throughout the whole system of the government, the legislative, judicial and executive functions of the union and the states are blended; the responsibility of the citizen is divided, and duties to the states are superceded by duties to the union. But what then? Is it for judges, therefore, to say, they deem them inexpedient, and because they deem them inexpedient declare them void? I will not say that expediency shall be always rejected in a judicial judgment on the meaning of the constitution, but it will seldom be a very weighty consideration, and ought always to be used very cautiously. But I think it highly expedient, that congress should confer this authority on the ministerial officers of the states. It is as useful to the states as the union, that the crimes against the United States should be punished. Their interests can seldom, perhaps never, be wisely separated. The crimes punishable under the laws of the United States are great and important, but few in number. With out the aid of the ministerial officers of the states, to have the laws of the United States effectually executed against a few offenders, (probably not one hundred in a year in all the states) it would be necessary to appoint and scatter over their vast territory many thousands of justices of the peace, coroners, constables, &c. The attempt to execute the power, would be as impracticable as it would be ludicrous. But it is said the states are to watch with jealousy the acts of the general government, (a monstrous heresy in the politics of this country) and if it use the agency of the officers of the states, it will have a tendency to a consolidation of the state governments.

Exactly the reverse is the sound conclusion. The necessary dependence, practically, of the general government on the states, in many particulars, is one of the points in which its weakness has been most obvious and most lamented.

The counsel for the prisoner, taking it to be granted or proved that the act of the magistrate was a judicial act, contended that the constitution had established a mode in which all judicial officers were to be appointed, and that an act of congress, giving authority to the magistrates of the state, was a violation of this provision of the constitution. It would not follow, however, if the function were judicial that the appointment must be made by the president and senate, for the constitution authorizes congress by law, to vest the appointment of such inferior officers, as they think proper, in the president alone, in the courts of law, or in the heads of departments; but the function is not judicial; the officer, consequently not judicial; and therefore, the argument, as urged, does not apply. But it may, perhaps, be insisted that though the constitution does authorize congress by law, to vest the appointment of inferior officers in the president alone, in the courts of law, or in the heads of departments, it does not authorize congress, though both houses and the president should unanimously concur, itself to appoint immediately by law. This would really be construing the constitution like an old pleading, without allowing the benefit of the statutes of Jeofails.—Qui cadit a syllaba, cadit a tota causa. A rational construction, it would seem, would authorize congress to do itself what

it can, at its pleasure, authorize an inferior body or an individual to do; but that is not the question. It may be safely admitted, that congress cannot directly by law appoint an officer whom it can authorize an individual to appoint, and yet the difficulty will not occur in this case. This is not the case of an appointment. The magistrates of the state are not, by the act of congress, constituted officers of the United States. They are merely authorized to do a certain act. The case may be easily conceived in which a magistrate of a foreign state may by act of congress, be authorized to exercise an equivalent power. That it is not an appointment in the sense of the constitution, will be proved by reference to the undisputed practice of some of the state governments.

The constitution of Pennsylvania provides that the governor shall appoint justices of the peace—(art. 5. sec. 10) and that they shall be commissioned during good behavior. But by an act of the legislature of that state, passed 20th March, 1810, all the powers of justices of the peace are vested in all the aldermen of the city of Philadelphia—who, I believe, are elected annually by the people of that city.

So, in New-York, justices of the peace are appointed by the governor and council, according to the express requisition of the constitution, and hold their offices during the pleasure of the governor and council. But by act of the legislature of that state, (2 vol. Laws of New-York, 508,) the aldermen of the cities of New-York, Albany and Hudson, are vested with the same powers as justices of the peace.

By the constitution of South Carolina, justices of the peace shall be nominated by the senate and house of representatives, jointly, and commissioned by the governor (1 Brevard 468,—2 Brevard 175). Yet the clerks of the courts, the wardens of the city of Charleston, and many other officers of the state, are vested by act of the legislature with the powers of justices of the peace. The like case probably occurs in almost every state of the union, and the argument of unconstitutionality which we are now examining will equally apply to them all.

I am then satisfied that in relation to the case before me, the 33d section of the act of congress, commonly called the judicial act, is constitutional and expedient, though I reject the argument of expediency, from the grounds on which I rest my decision. It is not a case in which I have a right to weigh it.

3d. I might here leave the case, but I deem it proper to consider the third ground. I think I have no jurisdiction over the case. I am aware of but three cases in which this question had been made. The case of Almeida already mentioned The case of Emanuel Roberts,*(2, Hall's law journal 192) in Maryland; and the case of Jeremiah Ferguson, in New-York, (9, Johns. rep. 239.) In the first case jurisdiction was assumed and the prisoner discharged. The second was the case of a minor enlisted in the service of the United States, and Nicholson, chief judge, determined against the jurisdiction. He does, indeed, say, in speaking of an extreme case which was put by counsel, of great oppression and injustice, that he would interpose and discharge the prisoner in the case supposed, but he adds—"If in such a case I should exceed the technical limits of my authority, I should have the approbation of all good men, for resisting oppression under the colour of law." This is certainly no argument in favor of jurisdiction, while the judgment in the case is on the want of it. In the last case, which was also the case of a minor who had been enlisted, the court refused to interfere on other grounds—but chief justice Kent declares explicitly, that the state courts have not jurisdiction where the arrest is under the authority of the United States. In this opinion I concur. If there be cases in which the state courts have jurisdiction of the principal matter, I am of opinion they may entertain an incidental or collateral question—they may, therefore, in such cases, release under a writ of habeas corpus on the ground of illegal confinement, because the prosecution is groundless, or for other sufficient cause. This authority may, perhaps, be exercised by courts having a superintending power, though they may not have jurisdiction for the purpose of trial, for they have authority to restrain and annul the acts of inferior jurisdictions. But in a case like the present, where the state courts in no case and under no circumstances, can take cognizance of the offence charged, to punish or or acquit, and where the functionary appealed to, is himself in all questions under the laws of the United States, subject to the controul of their high tribunals, all pretence of jurisdiction seems to vanish. I cannot, nor can all the judicial authority of the state, discharge a defendant in a civil suit who has been held to bail in the courts of the United States, however illegal the arrest may be, because I have no jurisdiction—and yet it is seriously imagined that I have, at my Chambers, authority to take their criminal jurisdiction, which is, by their laws, expressly exclusive out of the hands of their tribunals and to determine the acts of the national legislature, unconstitutional and void? Nay more, in this state any two justices of the peace, one of whom shall be of the quorum have authority to carry the habeas corpus act into execution, and have on the subject all the authority I enjoy. They, too, then, have a right to determine on the constitutionality of the acts of congress, and to release those who are amendable to the United States in their criminal courts. But the pretence for all this is, that the liberty of the citizen is to be preserved inviolate. Is it meant by this, that he shall be exempt from all the usual modes of trial instituted for the preservation of that very liberty? That the march of justice is to be divested of every thing staid and sober? That instead of her solemn and learned judgments, we are to have *pie poudre* expositions of the great act of our national union? But against whom do we seek this protection? The government of the United States, the government of the people themselves, whose greatest power, returns into their hands bienally, and all of it at short intervals. A government as able, as much bound, and no doubt as willing to protect the citizen as the governments of the states. A government, which has its habeas corpus act and its judges bound under the most solemn sanctions to execute it. A government to which the states constitutionally look up for the preservation of their free institutions. That jealousy which we sometimes see recommended, is bad law and worse policy. I deny that it is inculcated by a true understanding of the constitutions of the states. That it is necessary to the preservation of state rights or that it can conduce to national happiness, or national greatness. It may make us busy about some little factious privileges which are in no danger. But a regulated liberty, under the protection of stable institutions, will be best and longest secured to us, by regarding the government of the union in a spirit full of confidence—in a temper devoid of jealousy.

Finally, I am of opinion I have no jurisdiction of the case. Let the prisoner be remanded.

Edward P. Simons, esq. counsel for the prisoner.
Thomas Parker, esq. for the United States.

Legislature of New-Hampshire.

GOVERNORS MESSAGE.

Gentlemen of the senate, and
Gentlemen of the house of representatives,

In obedience to the public will, I have again accepted the office of chief magistrate. I sensibly feel and frankly acknowledge, the obligation my fellow citizens have conferred upon me. They have made it my duty to promote their interest, by devoting my time and my talents to their service. If these can secure their approbation, my official conduct will not, I hope, disappoint their reasonable expectations.

Though the United States enjoy peace and security; though their government is administered by able men, who possess the confidence of the people; yet they as a nation, and we as a state, have difficulties to surmount and embarrassments to remove. The great change which the European world has recently made, from war to peace, has very materially affected us. The nations in that quarter of the globe being now at peace with each other, have revived, and rigidly execute, their former colonial system of excluding other nations from a participation with them in the commerce of their colonies and dependencies. We are not only deprived of the carrying trade of Europe, which during their wars was a source of immense wealth to us, but the subjects of those nations now obtain a portion of the transport even of our own productions.—This change has not only greatly depressed our commerce, but injuriously affected our agriculture and manufactures and extended its effects to almost every class of our citizens.

In New-Hampshire the balance of trade is against us. Our imports from foreign countries and from the southern section of our own country, exceeds our exports.—This order of things must necessarily drain off our money, and tend to produce a state of dependence on other nations and other states, injurious to our interest, and dangerous to our freedom and independence. For it is with a state as with an individual—he that continues to buy much more than he sells must be involved in debt, and sooner or later become poor. We may increase the number of our banking institutions, but they will not increase our wealth—the precious metals will be sent to other countries to purchase goods we do not want, or such as we can make ourselves. For these evils, we may apply a gradual, but effectual remedy, by the increase of agriculture and of manufactures.

We are by nature formed for an agricultural and manufacturing state; and our habits and pursuits ought to conform to our situation. An improved state of cultivation would render our lands more fertile, our people more wealthy, and our country more independent. The constitution has made it our duty to "promote agriculture;" let us perform this duty with a zeal proportionate to its importance. Our improvements, compared with those in a neighboring state, are few and inconsiderable. As individual members of society, we may do much to convince our fellow-citizens, that it is more for their interest to cultivate the lands they now possess, than increase the number of their acres; and to devote their attention to those branches of agriculture, which are best suited to our soil and climate.—Though the last year was unfavorable to the production of some kind of bread stuff, we may with confidence expect more favorable seasons; that "seed time and harvest will continue"—and that "he that tilleth the land shall have plenty of bread."

But a state wholly agricultural cannot long exist as a free and independent people. A foreign manufacturing nation will soon impoverish, and then reduce it to dependance on them, as servile and degrading as that of colonies. Hence arises the necessity of our affording aid and support to manufactures. We are as able to make our own clothing as to raise our own food; and we ought not to depend on foreign countries for either. It is to household manufactures that we must principally trust for our supply; they bring to the general stock of wealth the labor of the people; their industry affords aid to the larger establishments; and is a constant and certain source of wealth to the nation. The increase of manufacturing establishments not only enriches the farmer, by opening a market near him for his surplus provisions, but retains at home the wealth of the community by preventing its specie from being sent abroad for the goods they manufacture.

If our object is to promote the real prosperity of our country, we must patronize agriculture and manufactures. They are the main pillars of our support; and on them we must depend for our wealth as a nation. If we cherish these, they will mutually encourage and support each other, and the wants of the people will be supplied from their *own industry*. And let us never forget, that *labor* is the real source and fountain of wealth; and that the rich equally with the poor, are not only "fed from the field," but clothed from the manufactory.

For the protection of our trade and navigation we must depend upon the government of the union, which has the exclusive control of this branch of our affairs. There is reason to hope, that their present unfavorable state will not become permanent; and that the activity and enterprize of our citizens, which heretofore have been so successful, will in due season, again enable them to acquire their accustomed share of wealth from foreign commerce.

Though I have not obtained a final adjustment of the claims of this state against the United States, for military services during the late war, I have recently received on that account, a draft from the treasurer of the United States on the cashier of the New-Hampshire Union Bank, for twelve thousand dollars, which I delivered to the treasurer of this state, who has received the money for the same.

The treasurer's report will exhibit the state of our finances, and enable you to determine what tax will be requisite to raise for the year ensuing. Among other appropriations, it will be necessary to provide for the building and finishing the state house.

Our laws subject buildings and unimproved lands to taxation according to their *real value*. But in many towns, this kind of property is estimated greatly below what those who make the appraisement consider its actual value; by this means the taxes become *unequal*, both as it respects the proportion to towns and individuals; and they fall heavier on other property, and particularly on the poorer class of the people. To remedy this evil, permit me to recommend a revision of the law on this subject, defining more explicitly the duty of selectmen and assessors.

The law requires the cashier of each bank, on being requested, to inform the selectmen of the names of the stockholders living in the town to

which they belong, and the amount of stock, in order that the owners may be taxed for the same. This mode of obtaining information is attended with difficulty and expence, and the practice under it operates *unequally*, as the selectmen of some towns apply and tax the stockholders, but others neglect it. I therefore suggest, for your consideration, whether more correct information would not be obtained, and at less expence, if the cashier was required to make out the name of each stockholder, his place of residence, and the amount of his stock standing on the books on the first day of April, annually, and transmit the same to the secretary of state, who should cause it to be printed in the newspaper in which the non-resident taxes are published, on or before such particular day in April, annually; and that the selectmen should tax each person living in their towns agreeably to such return.

As taxes are indispensably necessary to support government, as every man in the community is bound to contribute in proportion to his taxable property, it is our duty to render them as *equal* as the nature of things will permit.

The senate of the United States have recently directed the secretary of war, to report to them at their next session, the laws of each state relative to the militia, probably with a view to revise the laws of the union upon that subject; and as the laws of congress must control those of the state, I submit the question to your consideration, whether it will be requisite at this time to revise our militia laws, as proposed at the last session.

Though we are now at peace with all the world, (and it is of vast importance to preserve it,) yet considering the state and conditlon of Europe, their jealousy of our growing importance in the community of nations, and the history of former times, we cannot rationally, expect to be altogether exempted from the evils of war, which have so frequently visited mankind. Sound policy therefore requires us, in time of peace to prepare for war; and it is our duty at all times, carefully to attend to the instruction, discipline and equipment of the militia, which when well regulated is our sure defence, and in a great measure will supersede the necessity of a large standing army in time of peace.

Neither our constitution or laws, declare the tenure by which registers of probate shall hold their offices; nor the mode by which they shall be removed, when they either become incapable, or neglect performing their duty. I therefore recommend to your consideration, the propriety of passing a law defining the tenure of their office, and establishing the manner in which they may be removed therefrom, when the public interest shall require it.

Groundless, vexatious and trivial prosecutions, are sometimes commenced and carried on in the name of the state, which subject the county where they are prosecuted to the payment of large bills of cost. In some of these, the prosecutor makes use of the name of the state as an engine to gratify his revenge on the accused, more than for the purpose of convicting and punishing those who have violated the laws. In these prosecutions, judges have considered themselves bound by law, to allow full cost to the prosecutor. It appears to me, that the great object of the law would be more effectually obtained, if authority was given to the superior court of judicature, not only to allow the full costs usually taxed in all criminal prosecutions, but to reduce it to such sum or allow no costs at all, as they should judge right; and even to award costs and order execution to issue against complainants in such cases as they may consider groundless, vexatious, or trivial.

In a variety of cases, where penalties and forfeitures are annexed to the breach of particular statutes, authority is given to any person to prosecute for the same; one moiety of which is to be for the use of the prosecutor, and the other for the use of some county, town, or other corporate body. Instances have occurred, where the prosecutor has compromised the suit with the defendants and thereby prevented the corporation from receiving its moiety. Prosecutions of this kind may be commenced by collusion between the prosecutor and defendant, and continued from term to term, till the right for any other person to commence a suit shall be barred by the statutes of limitation, and then the prosecution be dismissed. To remedy these evils, I recommend that a law be passed subjecting all persons who commence quitam prosecutions, and settle the same, or consent to their being dismissed, without the moiety due to the county, town or other corporate body being first secured, to be themselves liable to pay the same. To render this provision more effectual, it may be advisable to authorize the courts of law, where it shall appear that collusion exists between the plaintiff and defendant, to notify and permit the corporation which is entitled to the other moiety, to appear and carry on the prosecution.

The present mode of settling the maintenance of paupers, is attended with considerable delay and great expence. It merits the consideration of the legislature, whether our laws, on this subject, may not be so amended as to remedy, in some measure, those evils, and at the same time ensure justice to the parties litigant.

The United States require their officers to make accurate returns annually of the amount of salary and emoluments that they receive from their offices. If a similar return was required of certain officers acting under the authority of this state, I think its effects would be beneficial. It would not only tend to correct abuses, but afford useful information to the legislature in regulating the future compensation of those officers.

As Mr. Carrigain, acting under the authority of the legislature, has recently furnished the state, at great expence, with a map of New-Hampshire, which is not only elegant but splendid, permit me to suggest for your enquiry, whether we have made him such a compensation as is adequate to his services and expenditures; or such as will entitle us, in the language of the constitution, to be considered as the patrons of science and the useful arts. From a careful investigation of this subject, I think it my duty to recommend the case to your favorable consideration.

We commence our respective duties under circumstances favorable to the faithful discharge of our important trusts. At peace with all nations, and enjoying without restraint the fruits of our own industry, and the rich inheritance of our fathers' toils—knowledge, freedom and independence—we have it within our power to command as great a portion of national and individual happiness as ever fell to the lot of any state or nation. It is from the fatal effects of *party spirit*, depraving the morals and perverting the understandings of the people that we have most to fear, either for the stability of our government or the harmony of its councils. With the exceptions of those *interested individuals*, who look rather to party than to their merit or public services for preferment, and who owe their chief importance to the angry passions and par-

ty feuds which have too long distracted these states, the great body of the people seem disposed to judge of the proceedings of their government with candor and liberality. They feel the important truth that moderation is wisdom: and though differing in their views and means of judging, they are inclined to consider all *honest politicians* as having the public good for their polar star. We cannot rationally expect to extripate party spirit altogether; a portion of it seems requisite in a free government to excite public vigilance, but we may do much, as legislators and citizens to control and circumscribe its pernicious effects, and to banish from the community that illiberal and malignant temper, which ascribes the best actions to the worst motives and influences us to impute an evil design to those from whom we differ, even where we cannot withhold our approbation from their measures. A disposition the reverse of this ought to prevail Conscious of the purity of our intentions, we ought to consider others as equally honest, though they may be mistaken in their views. Such enlightened and liberal sentiments, tend to unite the people with their government, produce harmony in the public councils and dispatch in the public business.

In all our proceedings, let us cherish a spirit of moderation and harmony, of vigilance and frugality, and be emulous to advance the real interest of our constituents, that we may effectually obtain the the end for which we were vested with authority.

WILLIAM PLUMER.

June 5, 1815.

Foreign Articles.

ENGLAND, &c.

It is observed, by the editor of the Columbian, that in about 60 years 1100 miles of canal have been cut in the British dominions. Some of these are "great and glorious works."

The wife and five children of a man who lately emigrated to the United States from Ireland, being on board a vessel (passage paid, &c.) for the purpose of joining him, were turned ashore to starve, unprotected, because they could not produce a certificate from the clergyman and resident magistrate that they were at *liberty* to emigrate!

FRANCE.

A merchant ship, of 300 tons, is fitting out at Havre de Grace for Calcutta, which "makes a great noise in the papers." The French shipping revives very slowly.

SPAIN.

The ordinary revenue of Spain is given at 48 millions of dollars, and the amount derivable from all the colonies is estimated at 12 millions more; together 60 millions. But the latter has fallen off very much; the full amount is far below the cost of the peace establishment, and the people have no confidence in the public securities. Hence the treasury is always without money.

A *Madrid* article of April 3, says—"Whole bands of robbers infest the neighborhood of this city. All the neighboring villages have troops stationed to prevent their depredations. Great exertions are made to prevent the evils which attend peace. Our government has news from Mexico and Peru, but nothing transpires. Orders are given for troops to be sent out."

At the date of our latest accounts from Cadiz, it was believed that Barcelona was in a state of insurruction—that general Lacy was assassinated, and that the mob had mutilated all the friars—unmanning them.

ITALY.

We learn from Rome, that the pope and the English, in alliance, are interesting themselves for the exercise of the Catholic religion in Turkey!

It is said the British have excited as great discontents in Sicily "as they have in India!"

We have a rumor of an intended "*sacrilegious*" attack upon the person of the pope. Particulars not stated.

A paragraph dated Naples, April 5, mentions that very interesting discoveries had lately been made at Pompeii. Near the temple, a rectangular public edifice, of 260 palms in length and 120 in breadth, with a portico of 50 columns in the interior has been discovered, and in it several remarkable pieces of statuary and other works of art. It is hoped that this enclosure may prove a productive mine of objects of art.

NETHERLANDS.

Two thousand Quaker *Hollanders* were about to sail from Antwerp for Philadelphia. One ship with 350 of them had actually left that port destined as stated. These emigrants are probably wealthy.

1500 persons were also embarking at Amsterdam for the United States.

A vessel has arrived at New-York from Amsterdam with 100,000$ in specie and 288 pipes of gin.

SWEDEN.

The coasts of Sweden are closely watched to prevent the entrance of "unknown or suspicious persons" into the kingdom!

AUSTRIA.

A very active correspondence is still carried on between the courts of Vienna and St. Petersburg.

TURKEY.

Troops are marching from Constantinople—the fortresses of Romelia are supplying with men and provisions. This would lead us to suppose there is some probability of the long talked of war with Russia.

Ancona, April 6.—A vessel has arrived from Constantinople which gives us a very satisfactory account of the disposition of the Sublime Porte in regard to the Christians found in the provinces of the empire. They report an order addressed to the Pacha of Jerusalem, which is quite new in the annals of Ottoman policy. The vexations of this Pasha having excited just complaints on the part of the Christians, the religious orders deputed to Rome a proper person to make known the situation of the church in these countries. His holiness has had news that his efforts for the peace of this church have been crowned with success, and that the Pacha had promised not only to protect the pilgrims, but to restore what had been extorted from them. The order was, "Hearken diligently, Pasha, it is thy master speaks to thee. The complaints of the people have reached my ear, and demand vengeance.—Thou hast abused thy authority to exact tribute of the Christians, beyond that which the treaties have fixed. Do what I order thee. As soon as thou receivest my command, instantly restore what thou hast extorted, lest my anger rise against thee. If thou doest delay to obey, expect the chastisement due to thee. Humble thyself under the command, and say in thy heart that thy master is like God, he can have mercy and forgive thee. Praise, praise, praise be to God!"

CANADA.

The Boston Chronicle notices a new map of Canada, published by col. Bouchette, styling himself "surveyor general of Canada," which very modest-

ly takes in many millions of acres of valuable territory which we always thought belonged to the United States; wholly excluding us from any communication with the river *St. John's*. But the commissioners under the treaty of Ghent are about to establish the lines.

Many vessels have recently arrived at Quebec.—We have terrifying accounts of the dangers and sufferings encountered in their passage up the gulph and river St. Lawrence, in consequence of meeting vast quantities of floating ice, and from excessive cold. Some of these vessels were stationary in the ice on the 14th and 15th of *May*! The Quebec editor gives it as his opinion that from the very unfavorable change of the temperature of Canada, it will be imprudent to sail for the St. Lawrence before the latter end of April or the 1st of May!

WEST INDIES.

Several transports with troops have arrived at Barbadoes from England, as it is said on a secret expedition.

It appears that many of the planters are retiring from the Bahama islands to St. Vincent, &c.

MEXICO.

Certain communications from persons high in authority in Mexico, intended for the use of Ferdinand's ministers, have been diverted from their destination by one of the patriot privateers. They are interesting as shewing the progress of the revolution, and as leading us to its probable result. Either party is deficient of military supplies, both want energy, and the war drags heavily on. Yet, says a letter from the archbishop of Manochoan, *"almost the whole population gravitates towards independence; and will at last overturn us by its own mere weight."* A dashing spirit like general *Mina* (who is now about to take an active part in the affairs of Mexico) supported by a few men of energy and talents and tolerably supplied with the munitions of war, would *accomplish* the revolution in a very few weeks.

It appears also by these despatches that there is a great falling off of the royal resources in Mexico—100,000 persons were formerly employed in the mines; now there are but 20,000, and the coinage of the mint has of course decreased—yielding at present only six millions of dollars, per annum. The internal taxes do not yield one fifth of their former amount; the tribute formerly paid to the king is refused; tythes are no longer depended upon—out of 50 districts under an archbishop, 37 are in the hands of the patriots. Much of the plate of the churches has been melted up and applied to the king's purposes, &c.

Dr. Robertson says that the republican force of Mexico is *eighteen thousand* strong, well organized and disciplined—that they occupy the heart of Mexico, and have an extent of territory that contains a million of souls. That they have a congress regularly elected, after the manner of that of the United States, and want nothing but a supply of arms to give them immediate success.

SOUTH AMERICA.

The royal governor of Angustura, a place of considerable importance on the Oronoco, it appears had plotted to deliver up the place to the patriots under Piar, which was discovered six days before it was ripe for execution. In consequence, he was seized, and put in irons, to wait the decision of his fate by Morillo. Several of his accomplices had been put to death in a summary way.

In consequence of these events the royal general Morales with a considerable body of troops, advanced for the protection of Angustura, beseiged by the patriots. He attacked and defeated them; but they rallied again at the distance of six leagues, where it was said they were again attacked and beaten by Morales.

In the mean time the royal commander of fort Guiana (Saruti) having heard of the arrival and success of Morales, sallied out and attacked the patriots under Cedana (second in command to Piar) in which he himself was taken prisoner with nearly the entire loss of all his men.

The Jamaica papers are filled with accounts of depredations committed under the Carthagenian flag; but speak well of the Buenos Ayrean com. Taylor. A vessel under this flag is said to be in the North sea. Among them they have nearly annihilated the commerce of Spain—which begins to be carried on chiefly in neutral bottoms.

We learn from Cadiz that the soldiers who lately embarked at that port for America, were literally *forced* away; and it was thought probable that the half of them would join the patriots.

The patriot privateers have lately made some valuable captures off the Havana. It is also believed that they have captured three armed vessels which lately sailed from this port, among them one formerly called the Jacob Jones, of Boston, carrying 22 guns, on board of which it was thought there was a viceroy for Mexico and a bishop. We fear that this report is too good to be true.

We have a report that the people at *Rio Janerio* have followed the lead of those of Pernambuco, and *drove off* the king of Portugal.

Mr. Da Cruz, agent or minister from the republic of Pernambuco, has arrived at Washington city. It is understood that he cannot be received in an official capacity, though he will, no doubt, be treated with respect as an individual.

CHRONICLE.

The president's tour.—We shall not follow the president step by step, and retail all the chit-chat stuff that appears in the papers about him—as irksome to the republican mind and manners of Mr. *Monroe* as to the people at large. We by no means find fault with the marks of respect paid to the chief magistrate on a tour of duty, but think there is more of pomp and parade given to it by the people than the fitness of things requires. But as it belongs to this work to keep a sort of journal of his *official* proceedings and to record the various addresses offered to him in his tour, with his replies, we shall keep copies of them, and occasionally insert some of them in regular succession.

On the 9th instant he arrived at the seat the vice-president on Staten-Island, and entered the city of New-York on the 12th. On the 14th he embarked in a steam-boat for West-Point. While at New-York and in its neighborhood, the president examined all the public works and visited most of the public institutions—and was every where treated with the respect due to him as first citizen of the republic and as a gentleman.

But—as to the *addresses* offered to him, the *Essex, Register* has the following happy remarks:—"We have been pleased with every thing we have heard in the visit of the president of the United States, besides the addresses. In this we are guided as much by his pleasure as our own. We do not expect that he comes to us to read and write, but to see us. We should deem it very absurd on a private visit to give a gentleman a letter, and oblige him to read and answer it, before we conversed with

him. Send to Washington as many addresses as you can, and let him read them there; but at your own house, like friend of Northey, of Salem, only bid him welcome."

The New-York Gazette says—The steam frigate has been got in readiness to convey Mr. Monroe, the president, to the fortifications below—and we are informed that she will start this morning up the Hudson, to meet, and take him on board. The frigate is to be manned by the brave tars at our navy yard, and a detachment of the marines.

Mr. *Adams* is expected to arrive from England and assume the duties of the department of state, early in July next.

New-Hampshire election. Official—for governor, William Plumer 19,088; James Sheafe 12,029; Jeremiah Mason 3,607; Josiah Bartlett 539; scattering 112. Plurality for Mr. Plumer over all the candidates, 2,801.

The Roanoke. A lot of tobacco [40 hhds.] from Marseilles, a little town of North Carolina, situate on the river Dan, a branch of the Roanoke, 300 miles from the sea-board, has arrived at Norfolk, Va. This is noticed as the "first fruits" of late internal improvements and enterprize in that quarter.

Error. In giving an account of the arrival of the valuable cattle presented by Mr. Coke to Messrs. Patterson and Caton, and speaking of that distinguished gentleman, we designated him as the "richest and most particular farmer," instead of saying he was the richest and most *practical* farmer in England.

The great canal. Contracts are offered for constructing certain sections of the great canal, westward of Rome, N. Y.

Emigration. Among the foreign articles is some notice of a great emigration about to be made to the United States from Holland. Many persons also arrive from England and Ireland.

Exchange of lands. Gen. Jackson, gov. M'Minn, of Tennessee, and gen. Meriwether, of Georgia, are appointed commissioners to negociate with the Cherokees an exchange of their lands in Tennessee and Georgia for lands on the White river, beyond the Mississippi.

Cotton. The southern printers have adopted an excellent practice. They now publish the names of persons detected in selling stones and rubbish for cotton.

Charleston. The population of the *resident* inhabitants of the city of Charleston has just been ascertained, and is as follows:

White males	5573	
—— females	5656	11,229
Colored free males	434	
—— females	766	1,200
Slaves		11,515
Total		23,944

Died, at Georgetown, Dist. Col. on the 18th inst. the Rev. *Leonard Neale*, archbishop of Baltimore, and successor of the late Dr. Carroll, in the 71st year of his age.

Bank Fisheries. We understand, (says a Boston paper) that 55 sail of vessels have arrived at Marblehead this spring from the Grand Banks, averaging 16,500 codfish; when cured for market it supposed they will weigh 33,611 quintals, and according to a fair calculation, will bring from 100,000 to 120,000 dollars.

Seneca and Susquehanna locks and canals.—It appears that, at the request of the "Seneca and Susquehanna Lock Navigation Company" of New-York, the Pennsylvania legislature, at its last session, March 11, passed "an act to authorise the governor to appoint commissioners to explore the route of the intended canal for uniting the waters of the Seneca lake and Tioga river, in the state of New-York."

These commissioners are obliged to "make report to him, to be laid before the next legislature, of the practicability, importance and probable expence of making and completing the said canal, together with such other information as they may be able to obtain."

Great advantages are anticipated from the completion of this plan, it being intended to unite the Seneca lake, by the Chemung and Susquehanna rivers, with the Chesapeake.

"We have only to add (says the Geneva Gazette) that after these locks and canals are constructed, and when those at the Seneca falls are completed, (the latter of which will be effected the ensuing season) an uninterrupted inland navigation will be open *from Lake Ontario to the Chesapeake bay*."

Com. Bainbridge and captains Evans and Perry, are appointed by the president of the United States to examine and survey the harbor of Newport, with a view to a site for a naval depot, dock yard, &c.

The *Prometheus* and *Lynx* are ready for sea, at Boston, and only waiting a fair wind.

The American Academy of Fine Arts in New-York, have purchased of colonel Trumbull, a collection of original paintings for 13,000 dollars.

The Greek ship Jerusalem, on her voyage from Smyrna to the United States, lately foundered at sea. Her cargo in part consisted of 450 tons of quicksilver, which, bursting, so corroded the iron work that the water rushed into the ship from every part, and she sunk off Cape Hatteras. Of the crew consisting of 36 men, all Greeks, only 5 were saved.

We observe notices of two deaths occasioned by the blunders of apothecaries—giving poison instead of physic.

From the New-Orleans Gazette of May 7.

We announced to our readers on Monday that Don Diego Morphy, late vice consul of his catholic majesty for Louisiana, had been summoned to appear before the court of the first district to answer for the disrespectful and apparently contemptuous publication to which we on that day alluded.* Mr. M. appeared in court, by his counsel, declined the jurisdiction of the court, alleging that, in his consular character, he was amenable for *offences* under a certain grade, solely to the courts of the U. S.

His honor, Judge Lewis, overruled this objection, holding that it was the indispensable duty and the indisputable right of every court of record to sustain its authority from violation and its dignity from insult; that the class of offences, to which the consular privilege contended for, extended, were offences against positive law, and not of the description embraced in the doctrine of contempts. Preparatory to further investigation, the court required of Mr. Morphy to answer whether or not, he was the author of the publication in question. Upon his answering in the affirmative, he was required to confess or to disclaim the supposed disrespect or contempt contained in his publication; he asked some time to consider, and was allowed until yesterday to answer the interrogatories. Upon being brought up, he declared under oath that he had no design, by his publication, to speak with disrespect or contempt of the court. Hereupon Mr. Morphy was discharged.

*See page 239, present vol. Weekly Register.

NILES' WEEKLY REGISTER.

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Hæc olim meminisse juvabit.—Virgil.

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The article on "Political Economy" that follows, has so much occupied the attention of the editor for several days, as almost to prevent him from attending to any thing else: yet he has to regret many interruptions and incidents calculated to unhinge the mind of that degree of harmony which is so necessary to the proper accomplishment of undertakings like this.

He respectfully invites a deliberate examination of the facts stated and assumed—assured that an attention to them, whatever may be thought of their arrangement and application, will be useful to his country.

Political Economy—No. II.

PROPOSITION THE FIRST.

"Our agriculture cannot furnish a surplus for export sufficient to clothe and supply the people of the United States; to the cost of such goods being added the duties and charges upon them, which must be paid as well as the original purchase money."

The broad ground of this proposition admits the introduction of numerous facts, and involves the most important subjects of political economy. We shall treat of them as briefly as we can; but if they appear tedious to any one, let him turn to the close of the article where the *results* of our enquiries are collected and stated, *pro* and *con*.

In the *first* place we have to calculate the value of the goods required to clothe and supply the people of the United States—and

In the *second*, after shewing the value of all our agricultural products, to attempt to ascertain the surplus we might have, if we were to abandon certain manufactures—and

By a comparison of the two, to demonstrate the proposition.

☞It is proper to observe, that we shall calculate the former at so much as it may be supposed to *cost* the farmer and planter—and the latter at the amount which it *clearly brings to* him—*immediately*, in both cases. The difference between the original cost or final product, is the profit and support of the classes that do not labor—the merchants, traders, lawyers, &c. &c. and for the support of the general and state governments. It is important that this should be recollected.☜

The present population of the United States, mathematically ascertained by the facts furnished in the several censuses, amounts to about 9,200,000 souls. This is rather below than above the real number; for it is in the very nature of things that any census of the United States, while the people are so thinly scattered over so vast a tract of country, must be defective.

The present population may be thus designated:

White persons under 10 years old	3,750,000
——— over 10	3,800,000
Free person of color, exclusive of indians	300,000
Slaves	1,350,000
Total,	9,200,000

After numerous calculations and many appeals to the opinions as well as the experience of others, I have arrived at the following conclusions—that the *manufactured goods* (not made up into clothing) required to clothe the people of the United States, costs, or may be valued, thus—duties, &c. included:

For every white person under 10 years old		$12 *per annum.*
——— above 10		30
—— other free person	(average)	20
—— Slave	(average)	10

I cannot believe that these estimates are unreasonable. The more I look at them the more certain I feel that they are under the average cost. But accepting them as data, we have the following results:

3,750,000 persons at	$12	45,000,000
3,800,000	30	114,000,000
300,000	20	6,000,000
1,350,000	10	13,500,000
Cost of manufactured articles needful to clothe the people of the United States,		$178,500,000

There are in the United States more than a million of families of free persons, each of which consumes an average value of more than 40$ per annum, in other manufactures; such as for beds and bedding, table cloths and towels, carpets, &c. articles of ironmongery and brass wares; china, queen's, earthen and glass wares; window glass, looking glasses, paper, &c. 40,000,000

The new houses built every year and the old ones repaired, for ironmongery, window glass, paints, paper hanging, &c. cannot cost less than $50 each for an average—say 200,000 at 50$ 10,000,000

Judging by the returns of the marshals in 1810, which, though defective, gave a value to the product of our distilleries and breweries of more than 16½ millions, and adding thereto the amount of foreign liquors consumed, we cannot estimate the cost of our drinks at less than 30,000,000

50 millions *lbs.* of sugar, besides that which is made in the United States, (including the duty) at 12½ 6,250,000

8 millions *galls.* molasses, as above, at 50 4,000,000

4½ millions *bush.* salt, as above, at 60 2,700,000

15 millions *lbs.* coffee, 25 3,750,000

3½ millions *lbs.* tea, 100 3,500,000

Minor articles—pepper and spices, mustard, foreign fruits, &c. &c.—$5 for each family, less than 10 cents per week, 5,000,000

283,700,000

Add for the product of our furnaces and forges, rolling and slitting mills, and other factories and works in iron, (estimated in 1810 at nearly 14½ millions) with the manufacture of arms

and ammunition, and the value of the implements and tools of our farmers, manufacturers and mechanics,	26,300,000
And we have the sum of	$310,000,000

Now, I am perfectly satisfied this vast amount is far below the cost, or value, of the things named or referred to; and I wish it strongly impressed on the mind of every one, that we should have to pay that amount annually to *foreigners* (if we could) or live very different, indeed, from what we now do, by merely rejecting the following home manufactures:

1. SPINNING AND WEAVING.
2. WORKS IN IRON, *except* common *blacksmith's* work.
3. DISTILLING AND BREWING.
4. WORKS IN GLASS and CLAY—PAPER and PAINTS—Leaving to us all other manufacturers or *mechanics*—such as those who make and make-up leather, hatters, all that work in wood and in metals except iron, *all* engaged in the building or equipping ships and vessels—in short, *all* except those that belong to the *six* things just named, which seem to be those that some would rather wish to dispense with. But I venture to say there are few who ever supposed their value to be any thing like what it is—Thus:

The aggregate is	310,000,000
Deduct—as the value of the foreign goods imported and consumed of the classes enumerated (and it *cannot* exceed this sum) *to the original cost of the articles being added the duties, merchants' profits, &c.*	80,000,000
And the value of the domestic manufactures will appear to be	$230,000,000

I request the reader to stop and pause a little while to *examine* what I have stated. Let him pass before him all the *documents* within his reach, and, in the absence of those, *figure* for himself, and compare his calculations with mine. I see nothing extravagant in the aggregate—indeed, it appears to me to result from very moderate *estimates*, made when *facts* were wanting. And the result is supported as strongly by the returns of the marshals in 1810, as returns so very defective as they were can support any thing; especially by their enumerations of spindles and spinning wheels and looms, and furnaces and forges and other works in iron, in those few states or districts where attention was paid to collect their amount. And although, perhaps, our manufacturing *establishments* are not now much more extensive, as to the work performed in them, than they were in 1810, yet it is notorious that *household* manufactures, (the sheet-anchor) have immensely increased since that period. Take the following abstract of a letter to the editor of the REGISTER from a Pennsylvania farmer, dated on the 2d instant, as evidence of what I say—for the case of this gentleman, living in one of the most populous parts of that state, and but a few miles from Baltimore, is the case of tens of thousands of his brother farmers. He says—his family consists of 8 persons, 7 of whom are above 10 years of age—his farm contains 250 acres. His whole disbursements for foreign goods, for *clothing*, for a year just past, for himself and his family, was only *eleven dollars*, yet his current expences for the year amounted to $600. But in this period, after supplying himself and family, he sold cloth made of his own wool, &c. and spun by the women of his family, that brought him *eighty dollars*, and has yet fine wool enough on hand to make $400 worth more. He keeps a strict account of all his receipts and disbursements, and the statement may be relied upon. He is incapable of saying what is not true. This plain unvarnished fact is worth a bushel of speculation. Here is a family entirely supplied with all its clothing, and cloths required for other purposes, with a balance of $69 in hand of a surplus, chiefly through the wholesome employment of its women, whose labor would otherwise have been lost to it and the country.

Here it may be well to make a brief digression from the subject immediately before us. Some will be ready to say—"*Certainly, no one would wish to check or destroy family manufactures*" But these may, to a given extent, be checked, or destroyed, as easily as those of the greater establishments. It is the disposition of every one to receive a fair value for the labor of his hands. The common laborer, whose regular wages, or fair earnings, are equal to one dollar per day, will do the next thing to starving himself rather than work for 50 cents a day. Nothing but pinching necessity will induce him to it; and if so induced, he will waste all the time that he can as a sort of a balance against the necessity. And—if through deep laid plans and immense sacrifices in foreign countries to send goods to the United States, (which are smuggled ashore and thus avoid the duty) we are inundated with such goods, and they are sold at 50 per cent. less than their real worth, are not our *household* manufactures affected? The gentleman whose letter I have noticed above, says that his wool on hand, enough to make $400 worth of cloth, would have been made into cloth, "*if there had been a demand for it.*" The difference, then, between the value of the wool and the cloth was, *somehow*, lost to him and his country forever, during the last year. The females of this substantial farmer's family are no more *compelled* to spin than the "princess *Charlotte*" is; and they will not do it, over as much as is needful to clothe the family, unless they are reasonably paid for it: the low price of the foreign article, or the prejudices of the people in favor of it, operated, then, as an absolute loss of the value of a certain part of the labor of those females, which might, and would, in other circumstances, have furnished a certain quantity of goods for market. But we shall speak again on this matter, for it is very important.

We shall now attempt an estimate of the value of all the agricultural products and *capacities* of the United States, by adding to the supposed consumption of the people the amount consumed in certain manufactures, the amount exported to foreign countries, and the amount of increase that might be produced by an increased quantity of labor for agriculture, by the destruction of the manufactures named. This is a vast field, indeed, in which we may easily lose ourselves; but we intend to advance with a great deal of caution.

It was the opinion of Dr. *Cooper* about three years ago, that the agricultural products of the United States were worth 640 millions of dollars—[See Vol. VII. p. 237, WEEKLY REGISTER.] But with great respect for such high authority, I must venture an opinion, that that result came out of erroneous propositions, while some things were omitted that would have changed it materially. The doctor's conclusions, after many calculations, were, that—

The grain required for one man per ann. was

8½ bushels, at 125 cents,	$10.62
365 lbs. of meat, at 1 lb. per day, at 6 cents	20.90
Whiskey or other drinks, equivalent to	15.00
Fuel, vegetables, pepper, salt, &c.	7.47
	$55.

A hard-working man may consume these quantities—but I presume they are much greater than an average of the whole people will admit of; and there is nothing allowed for the support of horses and other animals, that do not form a part of our meats.

Beanjour, who travelled through the United States in 1810, estimated the "general revenue" at only 350 millions—thus

Product of agriculture,	200 millions
forests, mines and waters,	25
manufactures,	100
foreign trade,	25
	350

This is ridiculous. The whole amount that he gives would hardly half clothe and feed the people of the U. States, as we shall see by and bye. He also estimates the consumption as follows:

25,000,000 of quintals of grain,
25,000,000 do. potatoes,
200,000,000 of pounds of butter,
1,500,000 head of horned cattle,
2,000,000 do. sheep,
2,000,000 do. hogs,
50,000,000 do. poultry, and
600,000,000 bottles of wine, brandy and other liquors.

The whole value of real and personal property of the U. States, in 1805, he estimates at 4,070,937,559 dollars.

Having noticed those authorities, which differ nearly by a half, we shall now give a calculation in *our own way*, which will, probably, differ very much from both.

My own family, I think, presents me with a fair medium between the rich and the poor, for the *waste* or use of the *substantial* necessaries of life. It consists of myself and my wife, 4 males between 16 and 20 years old, 2 from 14 to 15, 1 of 10 and 1 of 5; 2 women and my female child of 10 or 11—in all 13. We use the very best wheat flour (extra superfine) and buy the best pieces of the best meat; but every thing is prepared in the simplest way possible; and, in common, the whole family eats only of one dish of meat—we always have full supplies of fine vegetables, such as potatoes, turnips, parsnips or cabbages, and the like, and all eat just as much as they please, as most people do in the United States.

I find that we use of flour, *per day*,	8*lbs.*	
Vegetables, and other substitutes for or in lieu of *bread*, pies, puddings, &c. of the value of	5*lbs.*	
		*13*lbs.*
Meat, fresh or salt,	6*lbs.*	
Butter and lard, 1½*lbs.* equal to	3*lbs.*	
		9*lbs.*

With eggs, milk, &c.

If the amount of *meats* is thought too high, we may add to it the value of the *tallow* consumed in candles, (which is a part of the product of animals raised for the food of man) and the idea of its superabundance will be lessened.

I therefore conclude that the people in general, adults and children, eat *something* as bread stuffs equal to 1*lb.* each per day, and of meats (and fish,) including the relishes they generally have, with their coffee or milk in the towns and in the country, morning and evening, the quantity of ¾*lb.* per day. And the amount for each person, averaging grain, wheat, rye and corn, at 125 cents per bushel, and the meat (or fish in lieu of it) at 6 cents per pound, will be about as follows:

7½ bushels of grain or other vegetables, of equal value, at 125 cents,*	9 37½
281*lbs.* of meat, at 6 cents,	16.86
	26.23½

The fuel consumed, on the average, is equal to 1 cord of wood for every individual, including workshops, &c. and the drinks I have already estimated at 30 millions for all the people of the United States. We shall use the data thus ascertained in the recapitulation.

2. The next valuable product of agriculture is the food of our *horses!* This will seem strange to many who have looked so much to *foreign* trade—but it is not the less true because they never have thought of it. I do not say any thing about other kinds of stock, because the cattle and sheep, &c. come into the quantity of our meats.

The only fact that we have to make an estimate upon of the number of horses in the United States, is the return of the marshal of the district of Pennsylvania in 1810; who gives them at 255,998. This was, probably, far short of the real number in that state in that year; but Pennsylvania, from her local situation and habits, has a far greater proportion of horses, according to her population, than any other state; and rating the whole by her, we should have had no less than 2,304,000 in 1810. Our brethren of the eastern states wisely prefer oxen for their farming businesses, and those of the south chiefly cultivate their fields with slaves—so that, although if we had taken Pennsylvania as a standard for the whole, allowing the horses to have increased with the same rate as the people since 1810, we should have had nearly three millions (2,962,285,) we cannot admit that there are more than two, as given in a former estimate—see. W. R vol. IX. p 241. Each horse, on an average, will consume 1½ tons of hay and 45 bushels of grain per annum, (4 *qts.* per day) on their *equivalent.*

3. *Cotton* has the third grade in value. This great staple has grown up within a very few years In 1791 we exported only 189,316 *lbs*; in 1792, 138,328 *lbs.*; in 1793, 487,600 *lbs.*;—ten years after, 1803, we exported 41,105,623 *lbs.*; in 1807, 64 millions; in 1810, 93 millions; in 1815, 83 millions;—and for the year ending with September 1816, nearly 82 millions, as follows:

	lbs.	*cts.*	*Valued at*
Uplands	72,046,790	at 27	$24,106,000
Sea islands	9,900,326	at 47	
	lbs. 81,947,116		

We have seen an anonymous estimate of the whole crop of 1816—which gives us 320,000 bales as the whole quantity raised, viz.

*If the persons were fed on stale dry bread, *only*, perhaps the average would not amount to ¾*lb.* for each per day. But this is not the case in the United States, and I hope never will be.

*The *grain* is rated at 60*lbs.* for the *bushel*—and from its product is deducted the loss and waste of its manufacture into *flour* or *meal*.

In Virginia, ...	2,000 bales.	
North Carolina, . . .	13,000	
South Carolina, . . .	120,000	
Georgia, ...	110,000	
Louisiana, Tennessee and Kentucky, ...	75,000	
	320,000	
Which are valued thus—		
290,000 bales upland at $75		22,050,000
30,000 " sea island 115		3,450,000
		*$25,500,000

The bale is not a determinate quantity. But we are told that it may be averaged at 320*lbs.* This estimate then would give us a product of only 102,600,000 *lbs.* The average of the four years export before the war, viz. for 1808, 1809, 1810 and 1811, was about 55 millions; but in 1815 we exported 83, and in 1816, 82 millions. We know that the cultivation of this commodity has been greatly extended; and if we can take 80 millions as the surplus quantity over the home consumption, the whole quantity raised can hardly be less than 120 or 130 millions—it having been estimated that our factories could consume 27 millions, as they stood in 1815. These have somewhat declined, perhaps,—but *household* manufactures, as before observed, have greatly increased; and we shall put down the crop of last year at 125 millions of pounds, of which 13 may have been sea-islands.

4. Of *Tobacco* we exported in 1815, 85,337 hhds. and in 1816, 69,241 hhds——the last valued at $12,809,000, or an average of 185 dollars per hhd. For the years 1808, 1809, 1810 and 1811, the average was somewhat more than 45,000 hhds. The cultivation was declining for several years before the war, but has, since the peace, been far more rapidly extending—and we may accept 70,000 hhds. as the surplus quantity. The table before referred to estimates the whole crop of last year at 127,000 hhds. —valued as follows:

45,000 Virginia, 30,000 Louis'na & Kentucky	at $130		
7,000 North-Carolina, 7,500 South-Carolina, 7,500 Georgia,	at	96	$14,562,000
30,000 Maryland,		90	

This gives an average of only $114 per hhd—$71 less than the treasury estimate of last year. But the price of the article has decreased; and this may be a pretty fair estimate of the quantity produced. The export of manufactured tobacco is not worth taking into the account.

5. *Sugar* is becoming a very important item in our agriculture; and the time is close at hand when it will nearly cease to be imported. Large tracts of land are continually brought into the cultivation of the cane. Mr. *Darby* tells us there are 250,000 acres in Louisiana fit to produce it. We have reason to believe there is a *much* greater quantity than that; but 250,000 acres, worked by 83,333 hands, at one to three acres, calculated to produce 1000*lbs.* per acre, would give us 250 millions of pounds!—a quantity that we should not know what to do with. Besides, it succeeds well in Georgia and the most southerly parts of South Carolina. At present, it is the most profitable crop of the planter—Mr. *Darby* estimates the product, *per hand*, thus:

Sugar	at 8 cents *per lb.*.		$240 *per hand*
Cotton	15		180
Indigo	100		140
Tobacco	$10 *per cwt.*		107
Rice	6 *per bbl.*		84

We have no certain returns whereby to calculate the quantity of sugar and molasses made in the United States. In 1810, the marshals returned 9,665,108*lbs.* of *maple* sugar, and 9,671 hhds. from the cane, together about 20 millions of pounds—with 3,590 hhds. or 179,500 galls. molasses. The quantity of maple sugar made has not, probably, increased; but it may be safe to say that *Louisiana* now makes at least 30 millions from the cane.

6. *Rice*—the export last year was 137,843 tierces, valued at $3,555,000, $26 per tierce, nearly. For the year 1809, '10, '11, and '12 the average annual export was about 115,000 tierces. The estimate before referred to, gives the whole crop of 1816, as being only 110,000 tierces, valued at $3,600,000. The quantity we think cannot be less than 150,000. But as its home consumption comes in lieu of wheat, corn, and other grain, we shall consider it as already accounted for in the vegetable food we have supposed was consumed. The cultivation of rice appears to be declining.

7. *Sheep's wool, hemp, flax* and *flaxseed*, must make a large amount of value. Perhaps as high as 40 millions. But this is altogether "*guess work.*"

8. The produce of the *forest* exported last year, such as skins and furs, all sorts of lumber and timber, naval stores, and pot and pearl ashes, was valued at $7,293,000. This amount is considered as agricultural, because the labor required to prepare the articles for market is chiefly of the agriculturalists.

Having thus passed through the chief things in detail, we shall endeavor to ascertain the portion of labor that might be added to the business of agriculture by abstaining from the following manufactures:

1. *Spinning* and *weaving*. 2. *Works in iron*, except common smith's work. 3. *Distilling* and *brewing*. 4. In *glass*, *clay*, *paper* and *paints*. For these items take in *all* that we talk of abandoning to make out our proposition.

It may be estimated that one fifth of the whole population of the United States is capable bearing arms; of course, of performing a day's labor in the field. One-tenth of the whole, males over 45 and lads under 16, may be regarded as "half-hands."

We have 7,850,000 free persons and 1,350,000 slaves—

1-5th of 7,850,000 is	1,570,000
1-10th is 785,000—½ of which is	392,500
1-2 of the whole number of slaves	675,000
Whole amount of day's labor	2,637,500

But not more than ¾ of the people are engaged in agriculture—the other ¼ are mechanics and manufacturers, seamen, fishermen and watermen—merchants, traders and shop-keepers, and other dealers, in town and country, civil and military officers and men, lawyers, doctors and clergymen, persons living on income, &c.

The latter classes (merchants, &c.) may have in them *unproductive* labor to the amount of 200,000

And the days' labor performed is 2,437,500

The cotton manufacturing establishments in 1815 were estimated capable to manufacture the worth

*This valuation is not at such a high rate as that made at the treasury department, allowing the bales to be of 300*lbs.* weight each, as it is probable they were rated at.

of 24½ millions a year, including the cost of 27 millions of *lbs.* of cotton—and of employing, in *all* their departments, 100,000 persons; 10,000 of whom were males above 17 years old, 24,000 do. under that age—the rest, 66,000, women and female children. Knowing the ages of the boys employed in such establishments to be, generally, from 8 to 12 years old, only, we cannot estimate the day's labor in the whole as equal to more than that of 16,000 hands, fit for agricultural services. But, as much of the work of those factories goes out in yarn, and is afterwards spun by men, we shall rate them at 20,000, which is a large allowance.

The woolen manufacturing establishments, in a report made to congress [see vol. X. p. 82] were estimated to produce a value of 19 millions annually, the raw material of which was worth 7 millions; and to employ constantly 50,000 persons, and occasionally 50,000 more. The average number may have been 60,000; neither the ages nor the sexes of those persons are mentioned—but, as the manufacture of wool is less adapted to the labor of women and children than that of cotton, we can suppose that the male spinners, weavers, dyers, fullers, shearers, &c. &c. may have possessed a quantity of labor equal to that of 25,000 field hands.

From these elements we may, perhaps, be able to get an idea of the whole quantity of labor that *might* be applied to agriculture by a retirement from the manufactures stated.

We have calculated that it requires a value equal to $178,500,000 to clothe the people of the United States, to which we must add 15 millions for all the great variety of stuffs needful to them in their *family* capacities—together 193,500,000.

Mr. *Briggs*, in his inestimable letter to the chairman of the congressional committee on commerce and manufactures, January, 1816, [see WEEKLY REGISTER, vol IX. 389] ascertained that the amount of goods imported and consumed for clothing and of cloth consumed for family purposes, in 1804, (for an average) was equal to $5 for every person in the United States, at their official value or original cost. If we were to judge by the imports of the year 1815 [see present vol. p. 186] the same result would nearly appear—but there was an extra supply in 1815, for our manufactures have done something since 1804, and a more reasonable estimate may be at 4$ per head.—

9,200,000 persons at $4*	36,800,000
Duties, charges, merchants' profits, &c. 40 *per cent*	14,720,000
	$61,520,000

Which, deducted from the whole cost of clothing and all sorts of cloths, leaves nearly 132 millions to be furnished by home manufactures.

The work in the cotton establishments, at the rates stated, gives the great sum of $1225 for each *field hand;* so much of the labor being performed by machinery, attended by females and children whose labor would otherwise be lost. *Deducting the value of the raw material,* (7¼ millions for the whole) we have $862½ for every such hand. ☞*Herein we see the real advantage of manufactures—and it will not appear that we are very far from the truth, when it is known to be generally believed that the labor of* one *man, aided and assisted as he is by labor-saving machinery and by women and children, has been generally considered as equal to that of* four *men employed in agriculture.* [I am, indeed, pleased to find that what were chiefly suppositions, or my own calculations, are so nearly supported by acknowledged facts. It inspires me with a confidence that I may be *tolerably* correct.]

On the same principles, the woolen manufacturing establishments afford us only $760, and, deducting the value of the raw material, nearly $500 per hand, as above. But the rate of profit is much greater in the *household* manufactures; in which nearly all the labor, except that of weaving, is performed by women who otherwise might not labor to any profit at all. Taking the preceding estimates as data *and making due allowance for the fact last stated,* I have *calculated* and do conclude, that the supply of 132 millions worth of cloths (of all sorts) made by the people of the United States to meet their own wants, does not take from agriculture more than 102,000 hands, that might reasonably be expected to labor in it—viz. 50,000 for manufactures in cotton, &c. and 52,000 for those of wool; and they create a *home market* for 45 millions of dollars worth of wool, cotton and flax.

Our works in iron, other than common smith's work, in glass, paper and earthen wares, and in the distilleries and breweries, producing an annual value of 65 millions of dollars, (the most of the business being performed by *men*) require about 54,000 able hands; which, including the cost of the raw materials and their waste, both of which is very great, the vast capital employed, high wages paid, with the tear and wear of costly machinery and apparatus, appears to me to be reasonable—being at the rate of $1200 per hand.

We have thus patiently waded through the chief points that strike us as being very important to a due consideration of the subject before us, and shall proceed to our *summary,* and haste to conclude this long and laborious article.

RECAPITULATION.

We have seen that the cost of clothing and supplying the people of the United States, as stated, amounts to 310,000,000 dollars, *per annum.* It is needlesss to repeat the items which make up the this aggregrate.

AGRICULTURAL PRODUCTS.

1. Grain and meat annually consumed—	
9,200,000 persons at 7½ bushels of grain, at 12½ *cents per bushel,*	$86,500,000
The same at ⅓*lb.* of meat per day, 281*lb.* per annum, at 6 *cents*	155,112,000
16,000,000 *bush.* rye, barley, &c. consumed in the distilleries and breweries, at 75 *cents,*	12,000,000
	253,612,000,
2. *Food of horses.*—	
2,000,000 horses at 1½ tons of hay per annum, at 10$ *per ton*	25,000,000
The same at 4qts of grain per day— 90,000,000 bushels, oats, corn &c. at 40 *cents*	36,000,000
	*61,000.000
3 *Cotton*—whole crop 112,000,000 *lb* upland—at 25 cents 13,000,000—sea island }	33,850,000
4. *Tobacco*—whole crop 127,000 hhds. at the average value of $120	15,240,000

*This would not be so great if luxury had not so much increased—we are now retiring a little from it.

* The cost of each horse at this reasonable rate, is 31¼ dollars per annum.

5. *Sugar*—whole crop 40,000,000 *lbs.* at 10 cents*		4,000,000
6. *Rice*—for export 110,000 tierces at $30		3,600,000
7. *Sheep's wool, hemp, flax* and *flaxseed*— Supposed value		40,000,000
8. *Miscellaneous*— Value of articles *exported*, and not included in the preceding estimates, Vegetable food:		
Wheat, flour and biscuit	7,712,000	
Indian corn and meal	1,646,000	
Rye, oats, pulse, potatoes, apples, &c.	338,000	9,596,000
Beef, tallow, hides, live cattle	738,000	
Butter and cheese	223,000	
Pork, bacon, lard, live hogs	719,000	
Horses and mules	364,000	
Sheep	49,000	2,093,000
Other small items		350,000
First amount,		426,441,000
9. *Product of the forest*— Articles exported		7,293,000
1 cord of wood for each person, including the quantity consumed in manufactories, workshops, &c. (cut, but in the woods) at $1.50		†13,800,000
Wood for other purposes than fuel		†15,000,000
Total annual value of agricultural products		$462,534,000

Now to shew what might be added to this product by the abandonment of spinning and weaving, and the works in iron, glass, paper and paints, and of distilling and brewing.

Three fourths of all the labor of all the people of the United States, fitted for agriculture, is enged in the business of agriculture, and furnishes us with commodities worth $426,441,080, exclusive of the product of the forest, because the labor of 1000 men would do nothing, (according to our present habits) to increase the *quantity* of timber. The whole amount of days' labor performed, or that *may* be performed, in the field is 2,437,500—three fourths of which is 1,828,125, or about $233 per hand,‡ which, at the present very high price of produce, may be nearly right.

To the *first* amount	426,441,000
Add the amount of labor equal to that of 154,000 men, (the manufactures ceasing as proposed) at $233 each	35,882,000
	462,323,000
Add, again, for the labor of seamen,§ fishermen and watermen, shipwrights &c. 100,000 at $233	23,300,000
Product of the forest that might be exported	9,000,000
And we have the *capacity* to produce a value of	$495,653,000

* 30 millions from the cane and 10 from the maple. We have left out the value of this product in the table of costs by charging only the amount of *foreign* sugar consumed, but it is of no great consequence.

† These items, *at market*, are worth much more than the amount stated—but the amounts given may be about the value they are of to the *farmer*.

‡ The *free* laborers assisted by horses and oxen, may earn more than this, but we must recollect that almost one third of the number of days' work we have allowed to agriculture is performed by slaves. Sugar, Mr. *Darby* says, may produce to the *planter* 240$ per hand, cotton 184,—tobacco only 107—which it is presumed is an addition to the culture of their own bread stuffs, &c.

§ These are added because the cost of their maintenance is calcuated, and because the value of their labor is estimated in the consumption of the people.

* To pay 310,000,000 with, or exceedingly retrench our present expences.

‡,§ See next column.

LET US SEE THE RESULT—

The *clothing* and *supplies* of the whole people as detailed, are valued at	310,000,000
Food and grain for *drinks* are equal to	253,612,000
Food of their horses	61,000,000
	624,112,000
Deduct	495,653,000
Annual balance	$128,459,000

If there are any errors of great magnitude in the preceding, (and where so much depends upon opinion many will be of opinion, no doubt, that there are some, notwithstanding our earnest endeavors to ascertain truth) *I am confident that they are in favor of agriculture.* The above balance must stand annually against us by ceasing to manufacture the few things named. It is for those that are opposed to manufactures to shew how that balance is to be paid. I say it is *impossible*, utterly IMPOSSIBLE to pay it. But we shall have to recur to this matter again as we proceed to examine some of the rest of the propositions, and dismiss it for the present.

PROPOSITION THE SECOND.

That if *agriculture could furnish such surplus, the foreign market will not receive it one year in ten—unless at such rates and on such terms as would beggar us. Wheat, at 50 cents a bushel, delivered on our sea-board, for example, might, perhaps, generally find a market—but could we raise it at that price?*

This requires only a very brief exposition. According to the preceding estimates we should have nearly $180,000,000 worth of agricultural products to spare*. There *cannot* be a steady foreign market for it—and the surplus would be so great as to lower the price or value of the whole 50 per cent. *Every thing would be a perfect drug in the market.*

PROPOSITION THE THIRD.

That the foreign market is never to be relied upon, and may be lost altogether by war, &c.

No argument is necessary to demonstrate this proposition. The fact must be evident to every one.

The 4th proposition is interesting, and with the 5th, 6th and 7th, will make the subject of the next number.

Declaration of Independence.

Philadelphia, June 16th 1817.

Messrs. William M'Corkle and Son,

Gentlemen—Several applications have been recently made to me to state the errors which I had observed, and often mentioned, in the publications of the names of the members of the continental congress, who declared in favor of the independence of the United States, on the 4th of July, 1776—I have

not at present sufficient health and leisure to reply severally to each application. There can be but one correct statement of facts: one public statement, therefore, through the press, will serve the purpose of the gentlemen who have made the request, and may also give satisfaction to the minds of others, who have turned their thoughts upon the subject. If I am correct in my statement, it may be of use to future historians; if not, my errors can be readily corrected. I wish, therefore, by means of your paper, to make the following statement of the facts within my knowledge, relative to the subject of enquiry.

On Monday, the 1st day of July, 1776, the arguments in congress for and against the declaration of independence, having been exhausted, and the measures fully considered, the congress resolved itself into a committee of the whole; the question was put by the chairman, and all the *states* voted in the affirmative, except Pennsylvania, which was in the negative, and Delaware, which was equally divided. Pennsylvania at that time had seven members, viz. John Morton, Benjamin Franklin, James Wilson, John Dickinson, Robert Morris, Thomas Willing, and Charles Humphreys. All were present on the first of July, and the three first named voted for the declaration of independence, the remaining four against it. The state of Delaware had three members, Cæsar Rodney, George Read, and myself. George Read and I were present. I voted for it, George Read against it. When the president resumed the chair, the chairman of the committee of the whole made his report, which was not acted upon till Thursday, the 4th of July. In the mean time I had written to press the attendance of Cæsar Rodney, the third delegate from Delaware, who appeared early on that day at the state house, in this place. When the congress assembled, the question was put up on the report of the committee of the whole, and approved by every *state*. Of the members from Pennsylvania, the three first, as before, voted in the affirmative, and the two last in the negative. John Dickinson and Robert Morris were not present, and did not take their seats on that day. Cæsar Rodney, for the state of Delaware, voted with me in the affirmative, and George Read in the negative.

Some months after this, I saw printed publications of the names of those gentlemen, who had, as it was said, voted for the declaration of independence, and observed that my own name was omitted. I was not a little surprised at, nor could I account for the omission; because I knew that on the 24th of June preceding, the deputies from the committee of Pennsylvania, assembled in the provincial conference held at the Carpenter's Hall, Philadelphia, which had met on the 18th, and chosen me their president, had unanimously declared their willingness to concur in a vote of the congress, declaring the United Colonies free and independent states, and had ordered their declaration to be signed, and their president to deliver it to congress, which accordingly I did the day following; I knew also, that a regiment of associators, of which I was colonel, had, at the end of May before, unanimously made the same declaration.—These circumstances were mentioned, at the time to gentlemen of my acquaintance. The error remained uncorrected till the year 1781, when I was appointed to publish the laws of Pennsylvania, to which I prefixed the declaration of independence, and inserted my own name, with the names of my colleagues. Afterwards, in 1797, when the late A. J Dallas, esq. then secretary of the commonwealth, was appointed to publish an edition of laws, on comparing the names published as subscribed to the declaration of independence, he observed a variance, and the omission in some publications, of the name of Thomas M'Kean; having procured a certificate from the secretary of state that the name of Thomas M'Kean was affixed in his own hand written to the original declaration of independence, though omitted in the journals of congress, Mr. Dallas then requested an explanation of this circumstance from me, and from my answer to this application, the following extracts were taken and published by Mr. Dallas in the appendix to the first volume of his edition of the laws.

"For several years past I have been taught to think less unfavorable of scepticism than formerly. So many things have been misrepresented, mistated and erroneously printed (with seeming authenticity) under my own eye, as in my opinion to render those who doubt of every thing, not altogether inexcusable. The publication of the declaration of independence on the 4th of July, 1776, as printed in the journals of congress, vol. 2, page 242, &c. and also in the acts of most public bodies since, so far as respects the names of the delegates or deputies who made the declaration, has led to the above reflection. By the printed publications referred to, it would appear as if the fifty-five gentlemen, whose names are there printed, and none other, were on that day, personally present in congress, and assenting to the declaration; whereas the truth is otherwise. The following gentlemen were not members on the 4th of July, 1776, namely, Matthew Thornton, Benjamin Rush, George Clymer, James Smith, George Taylor, and George Ross, esquires. The five last named were not chosen delegates until the 20th of that month; the first, not until the 12th day of September following, nor did he take his seat in congress, until the 4th of November, which was four months after. The journals of congress, vol. 3d, page 277 and 442, as well as those of the assembly of the state of Pennsylvania, page 53, and of the general assembly of New-Hampshire, establish these facts. Although the six gentlemen named, had been very active in the American cause, and some of them, to my own knowledge, warmly in favor of its independence, previous to the day on which it was declared, yet I personally know that none of them were in congress on that day.

"Modesty should not rob any man of his just honor, when, by that honor, his modesty cannot be offended. My name is not in the printed journal of congress, as a party to the declaration of independence, and this like an error in the first concoction, has vitiated most of the subsequent publications, and yet the fact is, that I was then a member of congress for the state of Delaware, was personally present in congress, and voted in favor of the independence on the 4th day of July, 1776, and signed the declaration, after it had been engrossed on parchment, where my name, in my own hand writing still appears. Henry Wisner of the state of New-York was also in congress and voted for independence

"I do not know how the misstatement in the printed journals has happened. The manuscript *public* journal, has no names annexed to the declaration of independence, nor has the *secret* journal; but it appears by the latter, that on the 19th day of July, 1776, the congress directed that it should be engrossed on parchment, and signed by *every member*, and that it was so produced on the 2d of August, and signed. This is interlined in the secret journal, in the hand writing of Charles Thomson esq the secretary. The present secretary of state of the United States, and myself, have lately inspected the

journals, and seen this. The journal was first printed by Mr. John Dunlap, in 1778, and probably copies with the names then signed to it were printed in August 1776, and that Mr. Dunlap printed the names from one of *them*."

Your most obedient servant

THOS. M'KEAN*

The President's Tour.

The president reached Trenton on the evening of the 7th inst. where he was received by the municipal authorities, volunteer companies, and a large concourse of other citizens—the bells were rung, a *fue de joie* fired, &c. The following extempore address was delivered to him by the recorder:

"The mayor and city council, and, through us, the citizens of Trenton, present to you, sir, their most unfeigned respects—congratulating you on your arrival, and give you a most cordial welcome to this city, the scene, sir, of some of the services you have rendered our country.* We most sincerely wish you the enjoyment of health, a long life, and a prosperous administration."

To which the president spontaneously replied:

"I feel very sensibly this kind attention on the part of the authorities of the city of Trenton—the place where the hopes of the country were revived in the war of the revolution by a signal victory obtained by the troops under the command of general Washington, after a severe and disastrous campaign. I am well acquainted with the patriotism of the citizens of Trenton, and, indeed, of Jersey, for none suffered more, or displayed greater patriotism, in our revolutionary contest. I beg you to accept my best wishes for your continued prosperity and happiness."

At *New-Brunswick*, the president's arrival was announced by a discharge of cannon, the ringing of bells, &c. He was received by a very respectable committee of the citizens and escorted into the town by the volunteer companies. He remained here only an hour, during which the patriotic people of that place vied with each other in tendering him the most respectful attentions.

On the evening of the 9th, the president arrived at the seat of the vice-president, on Staten island, under a salute from the batteries, the Saranac sloop of war, and the cutter. He spent the next day with the vice-president, and in visiting the military works in the vicinity, and on the 11th entered the city of New-York, accompanied by the vice-president, general Swift, captains Evans and Biddle, of the navy, &c. He landed at the Battery under a salute, and then reviewed the troops paraded on the occasion, &c. &c. &c. Suffice it to say, that every respectful and delicate attention was paid to him during his stay at New-York.

THE MAYOR'S ADDRESS

To the President of the United States.

SIR—The mayor, aldermen and commonalty, of the city of New-York, beg leave to present to you their sincere congratulations on your arrival in this city.

It is with pride and pleasure that they see amongst them the chief magistrate of the nation, in the capacity of a private citizen, reposing himself, with just confidence, on the affections of a generous people, and are happy to embrace this opportunity, in behalf of themselves and their fellow-citizens, to express to him the high sense they entertain of his private virtues and public services.

Called by the voice of a nation of freemen to the first office in their power to bestow, you can possess no higher evidence of their approbation of your past conduct, and of their confidence in the able and faithful discharge of the important duties assigned to your present station. Nothing can add to the force of this testimony, founded, as it is, with uncommon unanimity on the sense of a free and enlightened people.

We learn, with great satisfaction, that your present tour is connected with the object of carrying into effect the measures of general defence proposed by the congress of the United States, and that you have deemed them of sufficient importance to merit your personal attention. On this subject, permit us to say, that our citizens feel a deep and lively interest. This state, from its local situation and extensive frontier, is peculiarly subject to become the theatre of war; and the city of New-York, while it affords the strongest temptation, is much exposed from its natural position to the attempts of a foreign enemy; although, in the late contest, it has not actually been assailed, we may presume it may, without arrogance, be said, that the extraordinary and spirited exertions of our citizens, powerfully supported by the patriotic efforts of the people of this and a neighboring state, taught the enemy to believe that such an attempt could not be made with impunity. The wisdom of our government is displayed in the measures now undertaken to provide, in time of peace, the security required in war; and we feel the highest confidence that, under your auspices, that security will be afforded for every future emergency. The present happy condition of our country in general demands our highest gratitude to the Supreme Ruler of events, and opens to our view great and interesting prospects. In a state of profound peace, after a conflict, in which the rights of the nation have been vindicated, and the honor of the American name been exalted, we see a great people united amongst themselves—devoted to a government of their own choice—possessing a country as fertile as it is extensive—evincing a spirit of enterprise in the various employments of agriculture, commerce and manufactures, ardent in the pursuit of science and in cultivating the arts which adorn civilized society, and advancing in population, power and wealth, with a rapidity hitherto unexampled. The destinies of such a people, with the blessings of Providence, cannot be anticipated, and defy calculation.

It is your happiness, sir, to have commenced your administration at a period thus propitious and interesting; and we have no doubt it will be your great ambition to bestow on those important objects all the patronage in your power, and justify the high expectations which have been formed.

That the pleasing prospects we have indulged may be happily realized, and that your administration may, in all respects, effectually promote the best interests of the United States, and that you may long live to witness the prosperity of your country and enjoy the esteem of a virtuous people, is the ardent wish of those on whose behalf I have the honor to address you.

In behalf of the corporation of this city, I have

*The venerable writer of this article, died at Philadelphia on the 24th instant. He was, we believe, the last surviving member of the "stamp act congress," held in 1765.

* Mr. Monroe received a wound at the battle of Trenton, in the revolutionary war, that confined him nearly nine weeks.

the honor to be, with sentiments of the highest esteem, your obedient servant,

J. RADCLIFF.

THE PRESIDENT'S ANSWER.

To the Mayor, Aldermen and Commonalty of the city of New-York.

FELLOW-CITIZENS—In performing a duty, enjoined on me by the constitution and laws of the United States, I cannot express the satisfaction which I derive from the intercourse to which it leads, with so many of my fellow-citizens—and from the opportunity it affords, to behold in person, the blessings which an all-gracious Providence has extended to them. In executing the laws which congress have wisely adopted for the national defence, the Atlantic and inland frontiers of this state, by their exposed situation, are entitled to particular attention.—I am aware, too, that this populous and flourishing city, presents, in time of war, a strong temptation to the cupidity of an invading foe. It is in the spirit of the laws, which I am called to execute, it is in the spirit of the people whom I represent, to provide amply for the security of every part, according to the danger to which it is exposed. In performing this duty, I shall endeavor to be their faithful organ.

The present prosperous condition of our country is, as you justly observe, the best proof of the excellence of our constitutions, and of the wisdom with which they have been administered.

It affords, too, a solid ground on which to indulge the most favorable anticipations as to the future. An enlightened people, educated in the principles of liberty and blessed with a free government—bold, vigorous and enterprising in the pursuit of every just and honorable attainment—united by the strong ties of a common origin, of interest and affection—possessed of a vast and fertile territory—improving in agriculture, in the arts and manufactures—extending their commerce to every sea—already powerful, and rapidly increasing in population, have every inducement and every means whereby to perpetuate these blessings to the latest posterity.

The honorable termination of the late war, whereby the rights of the nation were vindicated, should not lull us into repose—the events attending it show our vulnerable points, and it is in times of peace that we ought to provide by strong works for their defence. The gallantry and good conduct of our army, navy and militia, and the patriotism of our citizens, generally, so conspicuously displayed in that war, may always be relied on. Aided by such works, our frontiers will be impregnable.

Devoted to the principles of our government from my earliest youth, and satisfied that the great blessings which we enjoy, are, under Divine Providence, imputable to that great cause, it will be the object of my constant and zealous efforts to give to those principles their best effect—should I by these efforts, contribute in any degree to the happiness of my fellow-citizens, I shall derive from it the highest gratification of which my mind is susceptible.

JAMES MONROE.

After the ceremonies of the address, the president received the visits of the Cincinnati—and at 5 o'clock sat down to dinner at his quarters with the vice-president, De Witt Clinton, Rufus King, &c. and his old companions in arms, gen. Stevens, col. Willet, and col. Platt, and other gentlemen. In the evening the public buildings were illuminated.

The day following he visited the public works, institutions, &c. In the evening, there was a special meeting of the society for the encouragement of Domestic Manufactures, the president, (the vice-president of the U. S.) in the chair—Mr. Monroe was unanimously elected and, with much attention, received as a member. To an address from Mr. Tompkins on the occasion, he replied very promptly and earnestly—"that he was sensible of the honor conferred on him by this very respectable society.—As to its object, the promotion of domestic manufactures, he was heartily friendly to it, as to every other measure that lessened our dependence on foreign nations for articles of necessity—In favoring manufactures, we befriended the prosperity of the country with which they were intimately associated, and furthered the great purpose of the revolution—independence. Such, he said were his opinions and disposition; but *how far* it would be in *his* power to carry the wishes of the society into effect, depended on circumstances which no individual could assure himself of controling or regulating.

The society then proceeded with its business, on a report from the committee of correspondence, &c.—After which the president retired, &c.

The following is a copy of the address of the state Cincinnati delivered to the president.

To James Monroe, president of the United States.

"SIR—The New York society of Cincinnati, take this opportunity, when your important duties, as chief magistrate of the United States, have procured for this city the honor of a visit, to present to you the assurances of their respect and of their cordial disposition to support with all their power the measures which the wisdom of the government shall adopt to promote the honor and welfare of our beloved country.

"Your presence, sir, recals those patriotic emotions in which the society of Cincinnati originated; and as a distinguished individual among the officers of the revolutionary war, of which the society was composed, you are associated with the pleasing recollections, which we cherish of the result of that ardent struggle.

"We beg you to accept our sincere wishes for your personal happiness, and the assurance of our high esteem and consideration."

To which the president made the following reply.

"The opportunity which my visit to this city, in the discharge of important public duties, has presented of meeting the New York society of Cincinnati, with many of whom I was well acquainted in our revolution, affords me heart felt satisfaction. It is impossible to meet any of those patriotic citizens, whose valuable services were so intimately connected with that great event, without recollections which it is equally just and honorable to cherish. In your support of all proper measures for the national defence, and advancement of the public welfare, I have the utmost confidence. Those whose zeal and patriotism were so fully tried, in that great struggle, will never fail to rally to the standard of their country, in any emergency.

JAMES MONROE."

Address of De Witt Clinton, Esq. to the president, on his induction into the institution of the Literary and Philosophical society.

"SIR—As it has been the usage of this society to enrol among its members such characters as are distinguished for their virtues, their intellectual powers, and their literary attainments, it affords me great pleasure to inform you that you have been unanimously admitted an honorary member—the highest honor in our power to bestow—and it is peculiarly gratifying to find that on this occasion

the honor which is conferred is reflected on the institution.

"Viewing, in the course of your past life, the certain pledge of an able and patriotic administration, we are fully persuaded that you will always keep steadily in view the great interests of literature and science, as inseparably identified with the honor, the glory, and the prosperity of our country."

To which the president made an extempore reply, nearly in the following language.

"Sir—I cannot express the sensibility I feel upon this occasion.

"The high honor thus unanimously conferred, by the members of this respectable institution, will ever be cherished by me with grateful recollection; nor can I be insensible to the flattering manner in which you, sir, have communicated this expression of their kindness.

"I beg leave to assure you, and the members of this association, that as far as my influence may extend, it shall be exerted in promoting the interests of science and literature, as among the most efficient means of preserving the integrity of our republican form of government, and the honor of our country."

On the morning of the 14th he left New York in the steam boat for West Point. He appears to have won the hearts of the good people of the city by his republican plainness, ease and simplicity.

On the 18th instant, having returned from West Point, he embarked on board the *Steam Frigate*, under the discharge of her cannon, to visit the fortifications below. This immense vessel stemmed the tide with great speed. After viewing the works, he proceeded to his late lodgings with the vice-president, and the next day visited Harlem Heights. In all these excursions he was attended by the most distinguished citizens—and *volunteer* salutes every where greeted him. When he visited the state arsenal, says the *Columbian*, "which is under the care of major M'Laughlin, he was received under a salute of 13 guns by the *Veteran Artillery Company*, captain Chapman—This salute was fired from two 6-pounders, which, it is said, were taken at Trenton, by a part of the corps under the command of colonel (then lieutenant) *Monroe*. After a very minute inspection of the arms, &c. &c. in every part of the building, the president reviewed the corps of Veteran Artillery, and seemed greatly delighted at meeting so many revolutionary soldiers. On his departure, captain Chapman saluted him with 13 guns more."

Among other resolutions of the corporation to honor him was the following:

"*Resolved*, That his excellency* be requested to honor this corporation by sitting for his portrait, to be placed in the gallery of portraits belonging to the common council."

On the 20th, in company with several of the citizens, he left New-York in the steam-boat for New-Haven, where he arrived in the evening. The shore was thronged on his arrival; he was received by gov. *Wolcott*, with his horse guards, and by several independent companies of militia, under federal salutes, and with the ringing of bells, and every demonstration of attention and respect, by the people of all parties. The next day he was to review the troops, visit the gun-factory, college, &c.

*They seem exceedingly fond of this word in New-York. We meet it sometimes five or six times in twice as many lines, in some of the newspapers.

☞Great preparations for his reception are making at the places that it is expected he will visit. Of this it may be said, *vires acquirit undo*. The governor of Massachusetts and the people of Boston, seem particularly zealous to receive him in stile.

Battle of Trenton.

Extract from the 1st vol. chap. 8, page 129, of Wilkinson's Memoirs.

"It was broad day, and the storm beat violently in our faces. The attack had commenced on the left, and was immediately answered by colonel Stark in our front, who forced the enemy's picket and pressed into the town; our column being close at his heels. The enemy made a momentary shew of resistance by a wild and undirected fire from the windows of their quarters, which they abandoned as we advanced, and made an attempt to form in the main street, which might have succeeded but for a six-gun battery opened by captain T. Forest, under the immediate order of general Washington, at the head of King's street, which annoyed the enemy in various directions; and the decision of capt. William Washington, who, seconded by lieutenant *James Monroe*, (now president of the United States) led the advanced guard of the left column, perceiving that the enemy were endeavoring to form a battery, *rushed forward, drove the artillerists from their guns, and took two pieces in the act of firing.*

"These officers were *both* wounded in the charge; the captain in the wrist—*the lieutenant through the shoulder.* These particular acts of gallantry have never been noticed, *and yet they could not have been too highly appreciated;* for if the enemy had got his artillery into operation, in a narrow street, it might have checked our movement, and given him time to form and reflect; and if he had retired across the bridge in his rear, and taken post, *he would have placed a defile between us*, which, in our *half-naked, half frozen* condition, he ought to have defended against our utmost efforts; *and we in turn might have been compelled to retreat, which would have been fatal to us.*"

Winged Gudgeons.

This case is important to almost all persons interested in machinery—which has induced us to give it a place.

LAW CASE—KIRK *vs.* WITHERS.

District court of United States for the district of Maryland, held the 5th June 1817, judge Houston presiding. Gen. Harper and I. Purviance esqrs. for the petitioner, gen. Winder and T. Kell, esqs. for the respondent.

This was a case of application to vacate a *patent* obtained by the respondent, August 24, 1813, for the exclusive right to the "*cast iron wing-gudgeon*," which has been generally used in all machinery where wooden axles or revolving shafts are requisite for performing the movements, and which, it is known, has been in common use in this country, as well as in Europe, for half a century past.

The *validity* of the *patent* was impeached, on the ground of usage, long before the patentee's supposed discovery of the invention.

By the decision of the court in this case, the patent of Withers is now confined to what he terms an *improvement*, by bevelling or sloping one side to each wing of the edge nearest to the neck of the gudgeon so as to leave that edge about half as thick on the innerpart adjoining the body of the gudgeon

as it is on the outer part connected with the bands which bind the gudgeon and shaft together; the other edge remaining of an uniform thickness.

He *expressely abandons all claim to the general principle of the wing gudgeon, as usually made;* either with a bevel on both sides of each wing running thinner towards the neck of the gudgeon or with out any bevel or *variation* in the thickness of the wings.

The testimony of several experienced and respectable mill-wrights and mechanics before the court, *united* in expressing the belief, that no benefit could arise from the alleged improvement of Withers; and some of them expressed a belief that his alteration is injurous; in other words, that the improvement makes the common wing-gudgeon worse. It certainly makes the wing weaker, and consequently more liable to be broken off in driving the wedges; an accident which sometimes happens to those of the usual form, notwithstanding all the care that can be used in driving.

Withers rested the merit of his *pretended improvement* on two points,

1st, "That the gudgeon made on this plan may be fastened with *four wedges* instead of eight," which the common gudgeon requires. If this were true the advantage would be perfectly insignificant. Every mill-wright can judge how much or rather how little would be saved in making a water wheel, by inserting only *four* wedges in the end of the shaft instead of *eight*.

2d, "That from the slope or bevel which the wing has towards the body of the gudgeon from the outer edge, the wedges in driving will tend downwards towards the body of the gudgeon, and thus keep it more firmly fixed in its central position."

Whether the tending downwards of the wedges as thus described, would produce this effect, is far from being clear; but is quite certain that the effect may be easily and completely produced with the common gudgeon, without the aid of Wither's pretended improvement. Any workman will see in a moment that if you wish to make a wedge tend downwards, in driving horizontally, all that you have to do is to bevel the *wedge* or make it thicker at one edge than at the other, and then place the thick edge downwards in driving, making at the same time, the opening into which it is to be driven wider below than above, which is most easily done by using a bevelled chisel to make the opening.

Consequently it is manifest that the *pretended* improvement is a mere alteration and not an improvement; and the act of congress expressly declares, that a mere "alteration in the *form or proportion* of an instrument or machine, shall not be the foundation of a patent," and the patent of Withers is therefore clearly void. So he will find, should he ever attempt to enforce it by an action at law for its infringement.

But this it is confidently believed he will never do. He will content himself as he has hitherto done, with getting paid for his pretended improvement, by such persons as may *ignorantly* or *incautiously* consent to pay him, under the impression that his patent embraces, and rightfully embraces the wing-gudgeon, commonly in use. In this manner he has already gotten some money. It is to be hoped that after the recent proceeding in the district court he will thus get no more.

The object of that proceeding was to vacate his patent in a summary way, on the ground that it had been obtained *"surreptitiously or by false suggestions."*

The judge very strongly intimated his private opinion "that the improvement relied on by Withers was not useful, and consequently not a patentable improvement under the patent law." In other words, that it was a mere alteration, and not an improvement. But he thought that he could not, under the summary proceeding decide on the point, or pronounce the alleged improvement not to be useful; that being in his opinion the proper province of a jury.—He also appeared to doubt whether the terms "obtained surreptitiously or by false suggestions," on which the summary proceeding was founded, and which the law uses in describing the cases in which proceedings may be employed, could apply to a case like this, where there was some *alteration*, and a machine before in use or publicly known, was not exactly copied.

His doubts on this subject was the stronger, inasmuch as none of the witnesses had seen the gudgeon in use which Withers *now* claims, and they were consequently unable to pronounce positively, or from actual experience or observation on its inutility.

On these grounds the judge dismissed the summary proceeding, and left Withers to try the validity of his patent, if he should think fit, by actions at law, against such persons as may use his improvement without licence.

This statement is made to put the *public on its guard* against those misrepresentations of this decision by which it may be attempted to bolster up the pretended invention of Withers, and to inform millers, mill-wrights, and others concerned, that it is not for the *winged gudgeon in common use* that he now states himself to have obtained a patent, but for an alteration believed to be merely in form and wholly useless.

If, however, those who understand the difference between his improved gudgeon and that in common use think fit to pay him for a licence to use his, it is their own affair.

The object is to let all understand that his claim is founded wholly on this *alleged improvement;* and that his patent does not include the common wing gudgeon.

☞ *Note.*—As a further evidence of the fraud practised under cover of the patent above mentioned, by Withers and his agents, in collecting of many who, from the ambiguity or indefinite terms of the specification of said patent, supposed it to completely *embrace the common wing gudgeon*, that every mill more or less makes use of, and for which they demanded and received payment of the proprietors, hereunto is subjoined an extract of a letter from Wm. Thornton, Esq. superintendant of the Patent Office, Washington, written on the 10th of June, 1817, in answer to one which was written by Caleb Kirk, of Brandywine, near Wilmington, Delaware, on the 7th of the same month, for information relative to the patent of Michael Withers.

"Though it would, at all times, give me much satisfaction to be able to defend poor ingenious patentees from the numerous impositions of the public, yet being as much bound in conscience to defend the public against direct and wilful impositions of patentees, I hesitate not to express my surprise that the patent of Michael Withers was not set a side; for though the second section of the patent law (laws of the U. S. vol. 2, p. 20,) admits that patents may be taken out for improvements in the *principle* of any machine, and that the patentee shall, in such cases, be confined to the *improvement*, yet the same section expressly says that "simply

changing the form, or the proportion of any machine or composition of matter in any degree, shall not be deemed a discovery;" and therefore it is presumed is not considered as patentable; or if patented not defensible.—The winged gudgeon, as made by Withers, has been in use for forty years; but to obtain a patent he only bevels one edge of the wings instead of both.—This is no change in the principle. It is a small alteration by omission; in the same way three wings would be an alteration from four; and 99 cogs in a wheel an alteration from a 100; but such alterations would not be considered in the patent law as inventions. This alteration in the gudgeon is neither an invention nor improvement; and none but a gudgeon can purchase a patent right for such a gudgeon. At the utmost the decision mentioned to me can allow only the privilege of having any impositions practised under his patent, decided by juries; and can admit no power of selling more than the *alteration*, which nobody will buy.—When his patent was first granted, I objected to it, as a gross imposition (but there is no discretionary power in granting patents) and informed him there were about four thousand winged gudgeons in the public works at the navy yard, in this city. He went and saw them —but was afraid to make any claim because he would have been published as an impostor.—Mr. William C. Newton, of Alexandria, his agent, knows all this, and much more.—He has, nevertheless, charged and extorted money from many of the millers in various parts of the United States for the right to use the *common winged gudgeon*, under Withers' patent, which is not sustainable in any court of justice; and if the patent now under consideration can only be supported in consequence of deviation from the common gudgeons, he will, of course, be liable to a warrant or a suit to recover the money paid, in every case where he has thus fraudulently charged for the use of the common winged gudgeon—for this is expressly contrary to the letter and spirit of the law—and this construction is applicable to the sale of all patent rights thus obtained."

Hessian Fly—Lawler Wheat.

At a meeting of the cultivators of the Lawler wheat, and others, at New Baltimore, on the 27th day of May, 1817, it was on motion resolved, that in consequence of the providential exemption which this wheat has experienced in this and former years from the ravages of the Hessian fly, in this neighborhood, a duty is imposed on the cultivators of it to endeavor to render this blessing as diffused as possible. That a principal means of effecting that object, will be to give publicity to the evidences of the fact: wherefore, it is also resolved, that it is proper to appoint a committee to prepare such a statement of facts on the subject of the Lawler wheat, as are notoriously within the knowledge of the people of this neighborhood, and which may be substantiated by incontrovertable testimony, if required, together with such certificates of experiments of a special nature, as may be deemed worthy of notice; and that the said committee report the same to a meeting to be held on Saturday next the 31st inst. at Buckland, Prince William county. The following gentlemen, to wit: John Love, Thomas Hunton, Gerrard Alexander, sen. George B. Pickett, Griffin Stith, Martin Maddux, and Owen Thomas, being named and present, consented to serve as a committee, and the meeting adjourned.

MARTIN MADDUX, Sec.
WM. S MOONEY, Ch'k.

The committee to whom was assigned, by a meeting held at New Baltimore on the 27th inst. the duty of preparing such a statement of facts, in relation to the kind of wheat called the Lawler wheat as are notoriously within the knowledge of the people of this neighborhood, together with special certificates of experiments made, in proof of this wheat not being subject to injury from the Hessian fly, have endeavored in the best manner the time limited would allow them, to preform that duty; and report—that the following facts are notorious in this neighborhood, and can be supported by the testimony of many respectable men, to wit: that this wheat was introduced among us in the year 1810, in a small quantity, by James Lawler, (since dead) and who stated, that he had procured it in Chester county, in Pennsylvania, where it was called Jones' white wheat, and was said not to suffer injury from the Hessian fly: That it has been propagated with some attention in this neighborhood, and in the course of its cultivation, including the present season, has not been injured by the Hessian fly: That the present crop of it is of luxuriant growth, in proportion to the land, and promises an abundant harvest, while every other kind of wheat is injured in a most serious degree. It is a smooth headed white wheat, of tall growth, nearly on a medium between rye and the bearded wheats; later from three to six days than the golden beard, when sowed at the same time, and when the fly has not injured the bearded kind; but from that circumstance this year, appears to be in an equal state of forwardness with the best bearded wheat, it having met with no obstacle to its growth, and the season having been good. A peculiarity of general notoriety is, that of its appearance of firing, to a very great degree, soon after the commencement of the spring growth; the lower blades, which seem only to have been intended to survive the winter, turn yellow and die, without affecting the stock. There has been constantly found in it a few grains of a red chaff wheat, the grain a deep red; this kind of wheat is subject to injury from the fly, as experiments have shewn. The committee have thought proper to confine their report to statements of a general nature, rather choosing to submit to the test of investigation, if deemed necessary by any one, their individual relations of more particular matters, belonging to the the subject, and therefore refer to such statements, together with those of others, who have presented the results of their experiments and observations.

JOHN LOVE,
THOMAS HUNTON,
GERRARD ALEXANDER, sen.
GEORGE B. PICKETT,
GRIFFIN STITH,
MARTIN MADDUX,
OWEN THOMAS.

I have sowed the Lawler wheat for four years past on the Buckland farm, and have never known the crop injured by the Hessian fly: this year it has an unusually healthful and abundant appearance. I have also sowed last fall of the bearded kind, and early wheat, both of which are much injured by the fly; the early white wheat in a less degree than the other, yet the injury to that is not less than one half the crop. I am enabled to make a more accurate estimate of the injury done the early wheat, from the circumstance of the same ground having been two years ago in Lawler wheat, appearing to be doubly as thick then, although there has been no exhausting crop since taken from the land, and it has received two dressings of plaister, and the present year much more propitious to the growth of plants than that; I reaped of the Lawler wheat twenty-five bushels to the acre, I do not think the product this year in the early wheat will exceed ten or twelve bushels, if what remains is harvested; but it is daily falling from the inflictions of the fly: I think I shall lose seven hundred bushels, by sowing 68 bushels of the May wheat last fall.

The first year I sowed the Lawler wheat, I reaped eleven for one, which was a full crop for the quality of the ground; from the land adjoining it in the same field I did not get more than three for one; that year many crops were destroyed by the rust and rot, my

Lawler wheat was not hurt. The next year I sowed seventy-five bushels of it, and one hundred and ninety-five of other kinds, (making 270 bushels.) I made more from the Lawler wheat than all the rest. The third year I sowed of it nearly my whole crop, which in respect both to quantity and quality was the best I ever made from the same number of acres. The last fall I sowed ninety bushels of the bearded, and three hundred and seventy-one of the Lawler wheat, and I think there is no part of the Lawler wheat of ninety bushels seeding, which will not, if present appearances are realized, produce three fold more than the bearded.

The product of the Lawler wheat in flour, is as great I think as any other of the white wheats, and the quality as excellent as any I have seen. There were ground at my mill last season upwards of five thousand bushels of it, to a good profit, after giving a barrel more of superfine flour for each one hundred bushels, than is customary for red wheat. JOHN LOVE.

In 1812 or 1813, I obtained one bushel and three pecks of the Lawler wheat, sowed it late, and although apparently injured by the rust, made twenty one and one half bushels of merchantable wheat; my crop that year was materially injured by the fly, except the above small quantity. Last year I commenced sowing about the 15th of September, that is now the most promising part of my crop, and appears to be entirely exempt from the fly; and although I have found occasionally a fly in the wheat, on strict examination I am left to doubt, whether it is confined entirely to the mixture which is generally found in the wheat; neither has it ever been injured since by the rust. Numerous instances and experiments made by different persons near me, in several years past, are such as constrain me to believe that the Lawler wheat is providentially from some cause, almost if not entirely exempt from the ravages of the Hessian fly; I have sowed last fall about four hundred bushels of the Lawler kind, and twenty of the bearded; I think I shall not make more than a third of a crop from the bearded wheat, owing to the depredations of the fly, and calculate on a loss of two hundred bushels, from having seeded the twenty of bearded, instead of Lawler, as the ground is of good quality.

THOMAS HUNTON.

Having sustained, in common with my neighbors, almost the entire loss of my growing crop of wheat from the ravages of the fly, I was induced to visit the neighborhoods of Haymarket and Buckland, for the purpose of examining the fly-proof wheat, known in these parts of the country by the name of Lawler wheat, and cultivated this year in considerable quantity, by Messrs. John Love, Griffin Stith, Wm. and Thos. Hunton, and others; I was fully satisfied, upon viewing the respective farms of these gentlemen, that this wheat is entitled to the character of fly-proof, the fields of each of them exhibiting the most abundant crops of wheat I have ever seen, below the Bullrun mountain, and unless some future disaster shall befal them, will probably yield an average of from fifteen to twenty bushels per acre; it is proper to remark that on each of the farms of the above gentlemen, except Wm. Hunton, I found several of the other kinds of wheat, usually cultivated in Virginia—such as the golden bearded, purple straw, and white wheat, growing on some farms in the same field with the fly-proof or Lawler wheat; on others a fence or road only separating them, and in every instance the fly had injured the former very materially; while the latter or fly-proof was left unhurt; I have therfore no hesitation in recommending this wheat to the attention of every farmer in Virginia, to be sowed in preference of any other; for myself, I am fully convinced, under present circumstances, of the futility of sowing any other kind known among us in this state. GERRARD ALEXANDER, Sen.

I, Owen Thomas, do hereby certify, that in Dec. 1811, I was in Chester county, Pennsylvania, on a visit to my friends, where I understood that the Jones's white wheat was cultivated, and was told that since the introduction of that wheat there, they had not experienced any injury from the Hessian fly. I intended to have brought some of it to Virginia, but by different occurrences was prevented; after my return I found Mr. James Lawler, of the same county I lived in, had brought a small parcel in from the same place, and had seeded it; I got seed of that, and have sowed it for four years past; it has never been injured by the fly. I sowed a part of my crop of Lawler wheat last fall in the first week in September; it is now the best wheat I have, in proportion to the quality of the land, and has not been at all injured by the fly: a part of my crop last year was injured by the rust, and I am satisfied it was owing to a particular cause, as some of it was not injured; and I do not believe that the Lawler wheat is more subject to rust than other kinds; I have sowed last fall my whole crop of it. OWEN THOMAS.

I, John Brown, of Fauquier county, do hereby certify, that on the 11th of September, 1813, I mixed three bushels of the Lawler wheat with three of the purple straw, and sowed them together, and sowed adjoining wholly of the Lawler; that the purple straw was almost wholly destroyed by the fly, and the Lawler mixed with it uninjured by it, and made as heavy a crop as might have been expected from the quantity of seed, but not near so heavy as the Lawler wheat adjoining it, which was unmixed with any other. I have continued to sow of the Lawler kind, and have not had any of my crops of that kind injured by the fly. I ground a part of my crop at Mr. Love's mill last season, and got twenty-one barrels of flour to the hundred bushels, and flour of excellent quality. I found among the Lawler wheat some beads of red chaff wheat, the grain of a deep red; I picked out in the fall of 1814 a pint of that wheat, and sowed it by itself—the Hessian fly depredated on that and entirely destroyed it.

JOHN BROWN.

I commenced sowing the Lawler wheat in 1813, and have continued to cultivate it ever since, sowing generally several kinds, and have found it always to resist the fly, and not more subject to other disasters than the other wheat, but it is about a week later. Finding the Lawler wheat foul with cockle and cheat, (the cause of which I know not) I had determined not to sow any last fall, but at length concluded to sow forty bushels in my corn land, and sowed my fallow of the mountain white wheat, and now find the latter very much injured by the fly, and the Lawler not at all injured; and although the land which was fallowed is much richer than the corn land, it will not make as much per acre from the present appearance. Last year I had four kinds of wheat in the same field, and now I find no volunteer wheat, only where the Lawler wheat was sown, and believe that the fly took the whole of the other volunteer wheat last fall, and did not touch the Lawler. JOHN HAMPTON.

May 31, 1817.

I, Joseph Ball, of Fauquier county, hereby certify, that in 1816, I ploughed in, in the month of August, my stubble, a part of which was of the Lawler wheat and a part of the purple straw, with an intention to sow it again in wheat; that the wheat which came up in the purple straw stubble was destroyed by the Hessian fly, but that which came up from the Lawler wheat stubble was not injured. Both these kind of wheat came up about the last of August or first of September; from this circumstance, and the general experience I have had in the cultivation of the Lawler wheat, I am convinced it may be sowed at an earlier period, without risk from the fly. JOSEPH BALL.

I have made one crop of the Lawler wheat which was of excellent quality; but I thought the yield was not quite so great as that of some other wheat. The Hessian fly did not injure it in the slightest degree. My present crop is chiefly of the Lawler wheat, and very slightly injured by the fly, as there can only here and there be found an affected bunch after the strictest search, and my other wheat, the mountain white and the Baltimore bearded, is so injured as not to leave room to expect any thing like a half crop. I am of opinion that the Lawler wheat will bear sowing early in September, without danger of material injury from the fly. I will add, that my seed wheat was a little mixt, and the quantity of fly-injured is not, I think, greater than the mixture of other wheat.

ISAAC FOSTER.

May 28, 1817.

I obtained from my neighbor, James Lawler, in the fall of 1811, a half bushel of wheat, which he brought the seed of from Chester county, Pa. on account of its resisting the Hessian fly. I sowed it in November, and raised seven and a half bushels, which I sowed in 1812, and raised one hundred and ten, and have since continued to sow said wheat; my crops last year and this are entirely of that kind; I would sow no other, being satisfactorily convinced, from experiment and observation, that the fly would not affect it. I believe said wheat is of superior quality to any raised in this neighborhood for some years; as a proof, Mr. Love gave me for my last crop a barrel of flour, in the hundred bushels, more than for other wheat, and told me notwithstanding his profits were more than they were in the red wheat; also, I lately sent nine bushels and three pecks by measure, weighing at the mill ten bushels and twenty-six pounds, had it ground for family use, from which I got, after the common toll (the tenth) was taken, four hundred and fifty-four pounds excellent flour. Said wheat has not been injured since I raised it by any disaster, except the second crop injured a little by rost, as was my crop of other wheat the same year.

WM. HUNTON.

Buckland, Kinsley Mills, May 26.

Having been, during the last and present year, principal miller in Mr. Love's mills, called Kinsley, I hereby certify, that I have ground, during the past season, upwards of five thousand bushels of the Lawler wheat, and for the portion of it ground for others, have given at the rate of 21 barrels of superfine flour for each 100 bushels; and I am satisfied a better profit has been made on that than the average of red wheat, ground at the rate of 20 barrels of superfine flour to the 100 bushels, and that it will yield as much flour as any other white wheat I have ever ground; it having been mixed with red wheat as it came into the mill, I cannot state what was the product of the whole, but I think it has exceeded 196 lbs. of flour for four bushels 20 lbs. of wheat. Mr. William Hunton lately brought ten bushels and twenty-six pounds, it was prepared for family use, and particularly well cleaned, not necessary to be screened or fanned; I ground it after taking toll, a tenth, and what remained produced two barrels of 196 lbs. each, and 62 lbs. of superfine flour.

WM. FLORENCE.

Mr. Love having stated, that he has had the mortification to hear that reports have been circulated that he intended to demand an exorbitant price, or exchange, for his Lawler wheat: on his motion it was

Resolved unanimously, as the opinion of this meeting, that it would be improper and might justly be deemed illiberal, in those who have been so favored, as to be possessed of a species of wheat satisfactorily shewn to resist the ravages of the fly, to require of such of their less fortunate fellow-citizens as are desirous of obtaining seed, a price for it beyond an equal exchange, and a fair compensation in addition, for the risk and trouble of getting out their crops in the summer season; and that from these considerations the price required by any member of this meeting shall not exceed the value (when a price is agreed on, or exchange, when exchange is made) of one bushel and an half of common wheat for one of Lawler wheat.

MARTIN MADDUX, Sec'ry.
WM. S. MOONEY, Clerk.

Foreign Articles.

ENGLAND, &c.

We have London dates of May 1. The distresses of the people still occupies the papers. The princess of Wales was expected at Paris.

London May 1.—We received yesterday the Paris papers of Sunday last. The following from one of them dated Madrid the 14th ult. serves to shew the impression upon the continent as to the negociations between this country and Spain, with relation to Spanish America:—"Our department for foreign affairs has been for some time much occupied. Important negociations with England are publicly talked of, and an arrangement is spoken of with our insurgent colonies, through the mediation of that power. It is also said that negociations are on foot respecting the Floridas, and that we are to cede those countries to the United States, on receiving a suitable indemnity."

FRANCE.

Madame Regnault de St. Jean d'Angely is said to be charged with holding correspondence with some of the exiles.

A military court assembled at Paris for the purpose of trying marshal *Grouchy* has declined to act, thinking themselves incompetent. An idea is held out that the difficulties as to his case may be removed.

SPAIN.

We have many accounts of the disturbed state of Spain—but such is the case of the press that the truth cannot be had. Gallicia is said to be in open insurrection.

Arrests are so numerous in most parts that the prisons and castles can no longer hold the loving subjects of the "adored" *Ferdinand*. Would that he were the tenant of the deepest dungeon he has!

Don Antonio, the uncle of Ferdinand, died about the 22d of April last.

ITALY.

This country abounds with robbers and assassins. Picquets are placed along the great roads for the protection of travellers, to little purpose. Pestilence and almost famine prevail at Milan and the parts adjacent—373 persons died in one street in 24 hours. The disease is called *febra apopheticha*, considered highly contagious, and said to have had its origin in the bad living of the poor.

NETHERLANDS.

It was reported at Paris that the *Nain Jaune*, and the *Liberal*, two newspapers, had become objects of jealousy to the allied powers, who had requested that they might be suppressed!

PORTUGAL.

We have a renewed report of a misunderstanding between Portugal and Spain. It is said that great warlike preparations for defence are making by the regency of the former. The king seems in a bad way—rebelled against in the country he *honored* by making a kingdom of, and threatened in his old possessions by his dear son in law, *Ferdinand*.

FLORIDA.

The governor of *Pensacola* has not yet permitted the provisions destined for the U. S. troops in the interior, to pass. He received 10 per cent. from the contractors for permission to land them, and demands 3 per cent. more as an export duty.

MEXICO.

Gen. *Mina*, with a supposed force of about 1000 men, landed at Soto la Marine, in Mexico, 35 leagues north of Tampico, on the 22nd April—from whence he is said immediately to have marched for St. Ander, the capital of the province, being joined by 7 or 800 of the militia of the country. *Strength to the arm that strikes for freedom.* May complete success attend him, while he wars against Ferdinand and his monks.

SOUTH AMERICA, &c.

We have a report that *Monte Video* and *Rio Grande* have been taken by a *Buenos Ayrean* army.

Accounts from Bahia (Brazil) say—"A native priest had been detected and executed as a spy and emissary, a few days after being landed in the night, near that place, from a vessel dispatched by the government of Pernambuco.——Numerous letters to individuals in that provice were taken, but being directed in cypher, and the priest refusing to name them, the secret died with him—his last words were, "I die for liberty, my country and her Independence."

If such a spirit is abroad, the king of Portugal cannot lay it. Will the "holy *alliancers*" help him? They appear perfectly indifferent as to the fate of the colonies claimed by *Ferdinand*, and, indeed, seem rather to wish them emancipation than otherwise.

Some troops were to sail for Rio Janeiro from Pernambuco on the 17th of April, to suppress the "rebellion." They were only about 2000 in number.

Our last accounts from the Brazils speak of disaffection at the capital, Rio Janeiro, where it was also understoood that the blockading squadron "gave very little trouble" to the people of *Pernambuco*. The provisional government of this new republic is composed of men of talents.

From the Oronoko.—By a vessel arrived at Salem—That on the 10th of March, the royalists, about 2000 strong, under Morales, who had proceeded from Angostura, to attack the patriots at a place called the Missions, 100 miles below Angostura, were totally defeated and cut to pieces, only six men escaped, including Morales, and 2 other officers. All who were not killed on the field of battle were afterwards shot, and among them, Sheruty, formerly governor of Angostura.

After the battle, the patriots under gen. Piar, approached Angostura, where they threw up a breast work, upon which the guns of the fort could not be brought to bear, and immediately commenced firing upon the town within half musket shot, and the firing had been continued day and night. They had made several attacks upon the place, but without great loss on either side. One of the officers had gone for cannon, more effectually to attack the works.

The patriots had completely surrounded the place and the inhabitants and garrison were reduced to the most wretched and pitiable condition for want of povisions. Great numbers had actually died of starvation. Horses, mules, jackasses, dogs, &c. had been consumed, and the governor himself had actually paid 3 dollars for a *Cat!*

A great number of the inhabitants had left Angostura and fifteen hundred, principally women and children, in the most pitiable condition, sailed the same day the vessel left, in Spanish vessels. The men were not allowed to depart. Our informant thinks it impossible that the place could have held out more than two or three days after he left, unless relieved in some unexpected manner.

Guayana was still in possession of the royalists—it was strongly fortified, and no probability of its being taken except by starvation.

Fitzgerald, the governor of Angostura, who had been arrested and sent to Carracas, on suspicion of

treachery, had been ordered back, and was still in command of the place. The most sanguinary measures were adopted at Angostura in regard to suspected persons. Eight men were shot at one time about the first of May, on *suspicion* of being friendly to the revolutionary cause.

The forces of the patriots were estimated at from four to six thousand men, all mounted, and they had complete possession of the surrounding country.

The Tiger, of Salem, was the only American vessel at Angostura; she carried out a small quantity of provisions, which were immediately taken possession of by the government.

☞The city is now reported as having surrendered to the patriots.

[Angostura, is a city in South-America, nearly 400 miles up the river Oronoko. It is the only port of entry on the river. It stands on a high point of land, and commands a beautiful and extensive prospect of the river and country. The place contains about 1000 houses, built of stone.

Morse's Gaz.

CHRONICLE.

It appears that Mr. *Bibb* has not been appointed governor of the Alabama territory, as was confidently stated.

Jeremiah Mason, Esq. (fed.) of New Hampshire, has resigned his seat in the senate of the United States. He will be succeeded by a republican.

A drove of cattle has arrived at New-York from Chilicothe, in fine order! An ox, bred at Springfield, Mass. weighs on the hoof, 3,100 lbs. His length from the top of the nose to the root of the tail is 10 feet 7 inches; circumference 8 feet 9 inches.

The propriety and practicability of cutting a canal in New-Hampshire to connect the waters of lake Winnipisecgee with the Piscataqua, is discussing in the papers of that state.

A steam boat plying on the Delaware, between Philadelphia and Burlington, has run the distance (19 miles) between them, in 1 *h.* 40 *m.*

Specie flows in abundantly. The British sloop of war *Cherub*, with $600,000 on board from Jamaica and Havana, stopped on Charleston on the 16th inst. to land 300,000*—the rest is for England. A vessel has arrived at Baltimore from Jamaica, with 96,000—and many others with smaller sums at different ports.

Indian warfare. The indians on the frontiers of Georgia have lately committed many depredations—stealing cattle, horses, &c. and sometimes murdering the people. A small party assembled at Clark's Mills, in Camden county, to pursue a body of them, who came up with the Indians, and killed three of them. The whole frontier is in a state of alarm; and this rencontre may lead to an open rupture.

The season. Divine Providence has thus far favored us with the most delightful season for vegetation that we have seen for several years. In opposition to all the reports about Hessian flies and cut worms, all accounts agree in assuring us of the prospect of the greatest crops of all sorts of grain ever raised in the United States. The late wet weather has, however, caused some uneasiness.

Sheep. A merino buck, at a place called Waterloo, in New-York, was sheared on the 23d ult. of a fleece weighing *fourteen* pounds.

Connecticut. It appears by a report of a committee of the legislature "that the state treasury is entiely out of debt, and has a permaneat fund of nearly four hundred thousand dollars, besides their great "school fund," the capital of which is ONE MILLION FIVE HUNDRED THOUSAND DOLLARS—and the committee add, that on a full examination, *they find that the accounts of the state are kept in a correct and perspicuous manner.*"

The *Canal Carondole* has been completed at New-Orleans. It was ascended by a large topsail schooner on the 19th ult. It is spoken of as a very useful work. This canal opens an immediate navigation with the lakes.

NAVAL. *Washington City, June 23.* In addition to the duty of directing the necessary surveys and examinations preparatory to the selection of a suitable site for a naval depot and dock yard on our northern coast, we learn that the commissioners of the navy are also charged with the general survey of our coast, and that they have issued orders to the officers employed on both those services.

With a view to the instruction of our young officers, the vessels employed in these surveys are to be wholly manned by them.

MILITARY. Col. *M'Ree*, of the engineers, and major *Thayer*, distinguished and accomplished officers, have just returned to their country from Europe, whither they went to perfect their science and enlarge their knowledge.

Kidnapping. Two men of respectable connections, lately convicted of kidnapping negroes in Delaware, have been publicly *whipped* and *cropped*.—There is no penitentiary in that state. Well as these men may have have deserved the severest punishment, we regret that they have thus been *patented* for villains the remainder of their days: but this vile business must be stopped, if possible.

Ship timber. The government of the U. States, has purchased of Richard Hartshorne, Esq. what is commonly called Sandy Hook, a very large and valuable peninsula, extending from the Portland Highlands to the sea, a distance of seven miles. On this large tract of land there is a considerable quantity of valuable cedar, which, in time, must become useful in ship building. The sum paid, we understand, was 20,000 dollars.——*N. Y. Gaz.*

Fayetteville, N. C. June 17. *New wheat* was sold yesterday for two dollars per bushel.

WOODBINE—AGAIN.

St. Stephens, (Miss. Ter.) May 23.—Our readers will be able to judge when they read in this day's paper, the late talk of the arch villain Woodbine to the Creek Indians, which has been the cause of the late murders committed on our unoffending citizens of the frontier, by the lower Creeks. The Talk alluded to, was handed us for publication by a gentleman of veracity from fort Jackson, who was called on by the Big Warrior to consult and return an answer. He informs us, that every word and deed of the Big Warrior, on this occasion, has been that of a patriot and a true friend to the United States. It is not our wish to implicate the British government in this business, but we would only remark, that it would be well to watch more narrowly, the conduct of some of their agents, or rather that they select men for such important stations of more honesty and truth than col. Woodbine. [*Halcyon.*

Copy of a Talk sent from the British agent in East Florida, to the Big Warrior, head chief of the Creek nation of Indians.

When the English made peace with the Americans, they included the whole of the Indian nations, viz. Creek, Choctaw, Chickasaw and Chero-

* The captain receives a certain *per centum* as freight—his own perquisite.

kee; those nations were guaranteed in the quiet possession of their lands, and the Americans engaged to give up such lands of the Indians as they had taken possession of during the war.

If they have not done so, or if they have been making further encroachments, the chiefs have only to represent their complaints and the aggressions of the Americans, to the governor of New-Providence, who will forward them to England, or get them conveyed to the British minister at Washington, who has orders from the king of England to see that the rights of the nations above mentioned are protected, and the stipulations contained in the treaty, IN THEIR FAVOR, are faithfully carried into execution. The Americans have no wish to go to war with Great Britain; they will not, therefore, do any thing contrary to the treaty, and what encroachments have been made, must be without the knowledge of the chief of the American government: and so soon as he is informed thereof by the British minister at Washington, he will order the American people who have taken possession of Indian lands, to DRAW BACK to their own possessions.

The Indian nations are all one great family; they possess lands their great forefathers handed down to them, and they ought to hand them down entire to THEIR children. If they sell their land, what do they receive for it? Nothing that will last—it is wasted away in a few years. Whether, therefore, they sell or give it away, they are robbing their children of the inheritance they had a right to expect. As a great family they ought to live as such with each other: let the four nations join in bonds of brotherly love; let them smoke the pipe of peace; let the cultivation of their lands be their chief object during the spring and summer, and hunting their diversion during winter; and the produce of their labor will be bought by *good* people, who will come and deal with them, when they know there is any thing to be purchased for goods or money.

If the Americans, or other nations, live near them, let them live in friendship with them, and keep up a good understanding; but on no account sell or give away any of their lands.

I recommend this as a friend of humanity and of good order.

A. ARBUTHNOTT.*

Okolokne, March 11, 1817.

The head chiefs of the Upper Creek nation, have desired me, Oponey, to get the straight talk for them; what is written in the foregoing, I believe to be the true and straight talk, received from an Englishman, who carried two deputies to New-Providence, and has returned with them to Okolokne.

I Oponey, have been sent by you, the head chiefs of the Upper Creek nation, to see the Seminole Indians; I have done so; they live quietly and peaceably, and wish to do so with all their red Brethren in every part of the nation.

Opoy Hatcho has desired me to see those things; I have done so, and see all quiet, and had the talk I now send you, and shaken hands with the friend who gave it me.

That the friend I have met came over with goods, by desire of the chiefs of the Lower-towns, and is a true friend to the Indians. The various and untrue talks that you send me from time to time, must be made by some person, an enemy to all us Red Brethren, and ought not to be listened to; let me know who they are, and send me an answer as soon as possible, to the present talk.

OPONEY, his x mark.

Written by order of the aforesaid Oponey, the 11th March, 1817.

A. ARBUTHNOTT.

Witness—ANON MORIS.

New-Orleans, May 7.—The following letter will be read by the public with deep and serious attention.

Extract of a letter from an indian agent at Natchitoches to the commanding officer on that frontier, dated

Indian agency, Natchitoches, March 25th, 1817.

SIR—The enclosed exhibits the names, the number of warriors, and the geographical position of the several Indian tribes connected with this agency, taken from the best source of information I am able to obtain. Those marked thus* are supposed to be under the influence of Tooling and the Caddo chief.

On his (the Caddo chief's) return from St. Antonio, not long since, he delivered a speech to the Haines and Natchitoches to the following effect:

"You recollect when our old friend Tooling told us not to permit the Americans and their Indians to come into this country, they would kill all our game. We were fools and did not believe him; now you see his words were true: the Americans and their Indians have killed all our deer and buffaloe, and it is difficult to get meat for our families: I am just returned from St. Antonio, and my advice is, that *you have your bows and arrows ready.*

"Our old father, the king of Spain, will soon be here and drive all the Americans to their own country; and when any of their traders come among you, if you cannot get goods at your own prices, seize and carry them to St. Antonio."

Similar talks have been given on Red river, and some of our traders have been mal-treated: their licenses have been torn, and they were threatened to be driven out of the country: The Indians said it was Tooling's and the Caddo chief's orders to do so.

I have also seen a letter signed *Morphy*, who is said to be the Spanish consul at New Orleans, to the chief of the Appaches, inviting him to Havana without a moment's delay.

The simultaneous circumstances induce a belief that the Spaniards are attempting to engage the attention of the Indians for some future operations in this quarter.

Mr. Crowinshield, in his incomparable vessel, *Cleopatra's barge*, was at Madeira on the 1st of May —from thence he was about to proceed to coast and visit the whole shores of the Mediterranean.

The report that Mr. Webster had sold the copyright of his spelling book to the Messrs Goodwins, of Hartford, (see page 240,) is not true.

Towns and villages *jump up* so suddenly in some parts of the United States that it is at times no easy matter to know where they are by their names. We have received the first number of a well looking newspaper published at the "upper end of *Independence* street," in *Perrypolis*, which *we believe* is in Pennsylvania, near Connelsville. It is not noted in any of our books as a town, or mentioned in the post office lists.

Erie. Penn. June 7. A considerable quantity of *plaister of paris* has lately been brought across the lake to this place. It is said the quality is superior.

*Alias, the notorious Woodbine.

*This enclosure, for obvious reasons, it is deemed improper to publish at this moment.

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Hæc olim meminisse juvabit.—Virgil.

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"Political Economy, No. 3," is inserted in the present sheet. The subjects proposed to be noticed will occupy two numbers more.

Secret Papers.

The editor is indebted for the following papers to the politeness of President Adams. They afford us some light to the history of our own times, and, on that account, as well to comply with the wishes of the venerated gentleman that they should be preserved in this work, are gladly inserted. At the date of these papers Mr. Adams was *vice-president* of the United States—and his opinion being required by President Washington goes to shew a state of things then existing, different, we believe, from what has been the practice since. In communicating these papers Mr. *Adams* says—

"Inclosed are four papers.—No. 1. A letter from President Washington, Aug. 27, 1790; No. 2. Another letter on the same subject, on the same day, Aug. 27, 1790. No. 3. First rough draught of an answer, in my hand writing. 4. A copy of my answer to the president, which was sent to him, dated August 29, 1790, and which, if it was not consumed in the Vandalion combustion of Washington, is probably now in being among the archives of the president.

"I have motives of private honour and public duty for wishing to preserve these papers in print. Your repository is the best: and if you will insert them you may. But, whether you print them or not, I pray you to return them to me, as I find it is necessary for me to preserve vouchers."

(No. I.)

New-York, August 27th, 1790.

Sir—Being very desirous of obtaining such aids and information as will enable me to form a just opinion upon the subject of the enclosed paper, in case the events therein mentioned should take place; I have taken the liberty to submit it to you for your consideration, requesting that you will favor me with an opinion thereon.

With very great esteem and regard, I am, sir, your most obedient humble servant,

GEO. WASHINGTON.

Mr. Adams.

(No. II.)

(secret.) United States, August 27, 1790.

Provided the dispute between Great Britain and Spain should come to the decision of arms, from a variety of circumstances (individually unimportant and inclusive, but very much the reverse when compared and combined) there is no doubt in my mind, that New-Orleans and the Spanish posts above it, on the Mississippi, will be among the first attempts of the former, and that the reduction of them will be undertaken by a combined operation from Detroit.

The *consequences* of having so formidable and enterprising a people as the British on both our flanks and rear, with their navy in front, as they respect our western settlements, which may be seduced thereby, as they regard the security of the union and its commerce with the West-Indies, are too obvious to need enumeration.

What then should be the answer of the executive of the United States to lord Dorchester, in case he should apply for permission to march troops through the territory of the said states from Detroit to the Mississippi?

What notice ought to be taken of the measure, if it should be undertaken without leave, which is the most probable proceeding of the two?

Mr. Adams will oblige the President of the United States by giving his opinion in writing on the above statement.

GEO. WASHINGTON.

Mr. Adams.

(No. III.)

Omitted—being the rough draft of No. IV.

(No IV.)

New-York, August 29, 1790.

Sir—That New-Orleans, and the Spanish posts on the Mississippi, will be among the first attempts of the English, in case of a war with Spain, appears very probable: and that a combined operation from Detroit, would be convenient to that end cannot be doubted. The consequences, on the western settlements, on the commerce with the West-Indies, and on the general security and tranquility of the American confederation, of having them in our rear, and on both our flanks, with their navy in front, are obvious. The interest of the United States duly weighed, and their duty conscientiously considered, point out to them, in the case of such a war, a neutrality as long as it may be practicable. The people of these states would not willingly support a war, and the present government has not strength to command, nor enough of the general confidence of the nation to draw the men or money necessary until the grounds, causes and necessity of it should become generally known and universally approved. A pacific character, in opposition to a warlike temper, a spirit of conquest or a disposition to military enterprise, is of great importance to us to preserve in Europe: and therefore we should not engage even in a defensive war, until the necessity of it should become apparent, or at least, till we have it in our power to make it manifest in Europe, as well as at home.

In order to preserve an honest neutrality, or even the reputation of a disposition to it, the United States must avoid as much as possible, every real wrong, and even every appearance of injury to either party. To grant to lord Dorchester, in case he should request it, permission to march troops through the territory of the United States, from Detroit to the Mississippi, would not only have an appearance offensive to the Spaniards, of partiality to the English, but would be a real injury to Spain. The answer, therefore, to his lordship should be a refusal, in terms clear and decided, but guarded and dignified; in a manner, which no power has more at command than the President of the United States. If a measure so daring, offensive and hostile, as the march of troops through our territory to attack a friend, should be hazarded by the English, without leave, or especially after a refusal, it

is not so easy to answer the question—What notice ought to be taken of it? The situation of our country is not like that of most of the nations in Europe. They have generally large numbers of inhabitants in narrow territories. We have small numbers scattered over vast regions. The country through which the Britons must pass from Detroit to the Mississippi is, I suppose, so thinly inhabited, and at such a distance from all the populous settlements, that it would be impossible for the President of the United States to collect militia or march troops sufficient to resist the enterprise. After the step shall have been taken there are but two ways for us to proceed—one is war and the other negociation. Spain would, probably, remonstrate to the President of the United States; but, whether she should or not, the President of the United States should remonstrate to the king of Great Britain. It would not be expected, I suppose, by our friends or enemies that the United States should declare war at once. Nations are not obliged to declare war for every injury, or even hostility. A tacit acquiescence under such an outrage, would be misinterpreted on all hands; by Spain as inimical to her, and by Britain as the effect of weakness, disunion and pusillanimity.

Negociation, then, is the only other alternative. Negociation, in the present state of things, is attended with peculiar difficulties. As the king of Great Britain twice proposed to the United States an exchange of ministers, once through Mr. Hartley, and once through the duke of Dorset, and, when the United States agreed to the proposition, flew from it, to send a minister again to St. James', till that court explicitly promises to send one to America, is a humiliation to which the United States ought never to submit. A remonstrance from sovereign to sovereign cannot be sent but by an ambassador of some order or other: from minister of state to minister of state it might be transmitted in many other ways. A remonstrance, in form of a letter, from the American minister of state to the duke of Leeds, or whoever may be secretary of state for foreign affairs, might be transmitted through an envoy, minister plenipotentiary or ambassador of the president of the United States, at Paris, Madrid or the Hague, and through the British ambassador at either of those courts. The utmost length that can be now gone, with dignity, would be to send a minister to the court of London, with instructions to present his credentials, demand an audience, and make his remonstrance, but to make no establishment, and demand his audience of leave and quit the kingdom in one, two or three months, if a minister of equal degree was not appointed and actually sent to the President of the United States from the king of Great Britain. It is a misfortune that, in these critical moments and circumstances, the United States have not a minister of large views, mature age, information and judgment, and strict integrity, at the courts of France, Spain, London and the Hague; early and authentic intelligence from those courts, may be of more importance than the expence: But as the representatives of the people as well as of the legislatures, are of a different opinion, they have made a very scanty provision for but a part of such a system. As it is, God knows where the men are to be found who are qualified for such missions and would undertake them. By an experience of ten years, which made me too unhappy at the time to be ever forgotten, I know that every artifice which can deceive, every temptation which can operate on hope or fear, ambition or avarice, pride or vanity, the love of society, pleasure or amusement, will be employed to divert and warp them from the true line of their duty, and the impartial honor and interest of their country. To the superior lights and information derived from office, the more serene temper and profound judgment of the President of the United States, these crude and hasty thoughts, concerning the point proposed, are humbly submitted, with every sentiment, &c. &c.

Political Economy—No. III.

PROPOSITION THE FOURTH.

That manufactures establish a steady home market that may be depended upon, and have been found every where to give a stimulus to agriculture—in which it will appear that it is not always the interest of individuals to purchase a foreign *article because they can get it for less money than the domestic one costs.*

PROPOSITION THE FIFTH.

That it is by manufactures, only, that we can bring into operation the whole productive labor *of our country; which is the true and only certain source of wealth in any one.*

PROPOSITION THE SIXTH.

That certain manufactures, now exceedingly depressed, such as those of iron, *for instance,* must *be supported, being indispensable to our political independence—and that these manufactures being annihilated, cannot suddenly be restored, if we should want them ever so much.*

PROPOSITION THE SEVENTH.

That the high price of labor, as the phrase is, is no objection to manufacturing—for all wise nations prohibit the importation of [*or lay heavy duties upon*] *many things they want, which they could get for less money from abroad than they make them for at home. Instance England, who refuses to receive the cotton goods of her own colonies in Asia.*

We think we have very clearly shewn that it is *impossible* for us, merely as an agricultural people, to clothe and supply ourselves in the comfortable, and, to a certain extent, in the luxurious manner that we now do. With the most prosperous state of things and at the very highest, and, indeed, exorbitant prices for the product of the soil, we seem to have the *capacity* to raise a value of

	$495,653,000
Of which we require, to subsist ourselves and our horses	314,612,000
Leaving a surplus of	181,041,000
But our wants for clothing, &c. are equal to	310,000,000
And there would be an absolute annual deficit of	$128,959,000

This deficit, enormous as it is, under the circumstances supposed, would be immensely *increased*—if we required the import of 310 millions instead of 60 or 70, and had for export the value of 180 instead of the 60 or 70: the value of the imported goods, by the increased demand, might be raised 50 per cent., and that of those to be exported be depressed at the same rate, by their increased surplus. Value is an arbitrary term as measured by money; for it depends altogether upon the plenty or scarcity, or demand, of the article valued. Money may become cheap as well as any thing else—witness the report that the governor of the besieged city of Angustura (see page 236) had given *three dollars* for a *cat*, for food. In other circum-

stances, as many millions of cats as there are grains of sand on the sea shore, would not fetch one cent, as animals for the food of men.

But by balancing labor, or subdividing it between agriculture and manufactures, we overcome these otherwise insuperable difficulties—create a home market that takes off the surplus, and keeps down the price of imported commodities to a reasonable amount.

This is easily shewn—

The whole amount of days' labor in the United States, that might be applied to agriculture, is estimated at		2,437,000
Besides that of the *unproductive* classes and which cannot be brought into the common stock		
We say that there are now engaged in the manufacture of cotton, wool, flax and iron—in the distilleries and breweries, and in the works of glass, clay, and paper	154,000	
As seamen, watermen, fishermen, shipwrights, &c.	100,000	
Suppose we add to those classes	100,000	
And, agreeing to make our own sugar and molasses, take from the other classes	50,000	
		404,000
Left for agriculturalists, mechanics and manufacturers, other than those of the few descriptions named		2,033,000

We have conceded that the labor of agriculturalists, including the value of their own food, &c. may be rated at $233 per hand.

Then—

404,000 hands at 233 would be equal to	$94,132,000
And they would manufacture or consume—	
All the sheep's wool, flax, hemp, &c. valued at	40,000,000
Manufacture—(including the labor of women, &c.) 45,000,000 lbs. cotton	11,250,000
Make sugar and molasses worth	10,250,000
And use 16,000,000 bushels of grain for drinks	12,000,000
	167,632,000

Which, deducted from the $181,041,000 worth of surplus, would immediately reduce it to about 14 millions—if so low was thought adviseable, and keep the world rather dependent on us than make ourselves dependent upon any part of it. For a foreign market for the balance that we might have to spare would be *commanded*, instead of sought for.

Here, then, is an instant and complete relief to agriculture—but even this, important as it is, is but a small part of the advantages that we should derive from this little *insensible* change of our habits. We might be furnished with 19-20ths of all the manufactured articles we should want, and have an ample balance to supply us with luxuries desired, the product of the shipping interest, and the labor of our invaluable *seamen* being added to that of the manufacturing classes.

The first section of the 4th proposition is, in my opinion, so entirely demonstrated as safely to be left where it is. The *home market*, created by the simple transfer of a certain portion of labor equal to that of 150,000 hands, from the present pursuits of agriculture to another business of agriculture, and *additionally* to manufactures, is sufficient to get rid of a surplus that, without manufactures, and this new proposed agriculture, it would be impossible for us to dispose of at all—and, therefore, the amount, is really so much profit absolutely gained. It follows then, with individuals as well as with the nation, that it may not be our interest to purchase the foreign article because of its lesser price than the domestic one—and for the very best of reasons, (a "*Paddy's* reason" I confess) because we could not pay for it. The principle may be elucidated by the following case, which, though it may be an extreme one as applied to an individual, and apparently of small account, is exactly the state in which we, as a nation, would be placed without manufactures.

Farmer A 50 or 60 miles distant from a market—i. e. a body of *consumers*, not growers of grain and other vegetables—has a very fine kitchen garden in which he raises more cabbages, beans, peas, &c. than his family can or will use, and they perish on their stalks. But B. a saddler, settles in his neighborhood and says to him, "I will give you a saddle every year, or make or mend harness for you to its value, for the *surplus* of your garden stuffs." "Nay," says farmer A. "for these stuffs at *Baltimore*, *Philadelphia*, or *New-York* would fetch me double the price of a saddle—it is not a fair exchange, and you shall not have them." "Well then," returns B. "I will raise them for myself, or do without them,"—and the vegetables perish as before, or are not planted as they might be. A. carries his wheat to the city, and of its proceeds buys a saddle; the cost of which is as completely lost to him forever as if he had thrown the money into the river—for he might have had as good a one for that which produced him no value at all.

It appears to me that this is sound doctrine, applicable to every country, as long as the value of a thing is determined by the quantity and demand for it. To a certain extent there is a demand for our agricultural products, and at times for more than we have to spare: but with Europe at peace, and blessed with her usual crops, she may as well supply us as we supply her with bread-stuffs and meats—and she would do it, by the cheapness of labor, if she were not so oppressed by the requisitions of her governments. And, indeed, and besides, to encourage and support their own agriculture, some of the nations will not receive supplies of these on any terms—it is in cases of necessity, only, that they open their ports, and thus prevent a fair and regular *competition* from us—without which we could have no chance of making a profit in the end.

The 5th proposition is manifested in the facts already stated. By an entire attention to agriculture we have a quantity of labor sufficient to raise an *uncertain* value that may amount to 495,653,000 or be less than half that sum: but by manufacturing to a reasonable extent we either consume or *command* a market for agricultural products of the *certain* value of 400 millions, and create a value in goods worth 250 millions more—a *certain* difference of at least 150 millions every year in our favor. This vast amount, (I repeat it that every one may remember it) originates in the advantages derived from *labor-saving* machinery, and from bringing into operation *the whole productive labor* of the people.

The 6th proposition involves a subject of vast and vital importance, and I exceedingly regret that I shall have to dismiss it without a full exposition, which I must do from the want of particular facts. The iron trade is much depressed—almost ruined.

The establishments for making iron require a great amount of capital, and *years* are necessary to get experienced workmen, and reduce so large concerns to system. Destroy these works and disperse the workmen, and when the day of calamity arrives —when war is made upon us, we shall lament our folly too late. Nothing, perhaps, suffers so much by neglect or want of use as works for the manufacture of iron—an interruption of their business almost amounts to the ruin of those carrying it on.

We have heard it stated that the manufacture of iron in the counties of *Huntingdon* and *Centre*, alone, in Pennsylvania, has produced a value of $1,000,000 per annum, and employed, *immediately*, about 1500 men, affording a living for them and their families; creating a most valuable *home market* for the farmer, and giving labor to hundreds of mechanics scattered round the neighborhood of the works, forming little villages and towns, wearing the most prosperous and happy appearances; and raising the value of the land, by the market afforded for its products, 50 to 100 per cent. in every few years.—*These manufactures must be protected.* It is impossible for us to prosper without iron works. They are a *sine qua non* to the preservation of our independence. Every branch of society is interested in them—they have an importance that comes home to the doors of all men—and all men should unite to carry into the congress of the United States a due sense of that importance. Labor is cheaper in Europe than with us, because our people live better and labor less—and we glory in it that they have some of the comforts of life with leisure to enjoy them; and the duty upon the foreign article must be increased, or no one will follow so severe a business here. This brings us to a consideration of the *7th proposition.*

It has yet been the policy of the United States neither to prohibit the import or export of any thing, as a permanent regulation, and so far, perhaps, that policy has been a wise one. "But circumstances alter cases,"—and we have the *unanimous* sanction of all the *statesmen* of Europe that a contrary course is best adapted to the situation of their several countries. England, for instance, will not permit the export of *wool*, nor admit the import of *cotton goods*, even from her own colonies.* Each of these regulations is intended to counterbalance the higher price of labor, (though it seems to be *low enough* now) and to find employment for her people at home. This kind of policy may certainly be extended to an unreasonable length, and be less fitted for our country than to any other—but who is prepared to say that it may not be a correct one in certain cases? It is not the nominal price which a man pays for a thing that determines its value to him. A bushel of wheat is dearer at *one cent*, to one that cannot procure that cent, than to another as the equivalent of a *day's labor* which he has the power to exchange for it—yet the intrinsic value of the wheat would be the same. *It is the* ABILITY *to pay that fixes the value to the purchaser*, as in the case of the farmer and the saddler just above stated. And it is pointedly the interest of a *free people* that the price of labor should be kept as high as possible—to preserve the greater equality among the citizens, and keep up a spirit of intelligence, with a degree of independence, without which the useful classes must degenerate into herds of slaves. No loss is occasioned by the high price of labor, if its product is protected in a country; for it spreads itself through all ranks of society, and every body feels it, from the landlord, living on his rent-roll, to the miserable chimney sweeper.

But, to return to the manufactures of iron and conclude the present number, simply to say that "come what will," in any event, and in every event, these manufactures must be protected. If they sink they sink for years. The cost of putting them into operation is too great, and the time employed to set them a-going too precious, to be hazarded by an uncertain policy. Let it be ascertained at what price a ton of iron may be furnished, leaving to the workmen a little more wages than are paid in most other branches of business, on account of the peculiar severity of their employment, and levy a duty upon the foreign commodity high enough to keep it from being fairly sold under that price—competition will do the rest, and keep us from being extorted upon. This is as much the interest of the mere *farmer* as any body else; for it makes a market or his goods, and keeps up the price of them by the demand.

* A strong petition is before the house of commons from the English *farmers*, to prohibit, also, the *import* of wool. The value of the domestic article has decreased from 3*s.* to 1*s.* 6*d.* per lb. But so great is the distress of the manufacturing classes that it was thought the prayer of the petition could not be granted.

Captains Heath and Perry.

We have a pamphlet entitled, "*Serious charges against captain Oliver H Perry, of the United States navy, by John Heath, late captain of the marine corps*" —and recently appointed consul at Teneriffe.

It is a rule absolute with me not to admit any thing of a *private* or *personal* nature into the pages of the WEEKLY REGISTER, though on one or two occasions I inadvertantly transgressed it. For several days I have had the question under consideration, and am not yet able to resolve it, whether the contents of this pamphlet should be estimated as having a *public* or a *private* character. As the former, I would publish it though I had regarded those censured by it as demi-gods—as the latter, I would not give it a place if my own father were living and was the complainant.

The charges of captain *Heath* are really "serious," and severely affect the reputation of com. *Chauncey* and capt. *Perry;* the latter as a tyrant, and the former as conniving at a most flagrant abuse of authority. According to the narrative, (which is well written, and seems to be a plain statement of facts) captain P. without provocation, and impelled by the fury of passion, after the most insulting language, descended to *strike captain Heath, with his fist, in the cabin of the Java,** and then ordered him to be confined in his state-room, with a sentry over him, where he was kept from the middle of September until the last of December, 1816, without trial, or being regularly charged with any offence, and then, a *prisoner*, asked by com. Chauncey for the charges that *he* intended to prefer against capt. P. It is, indeed, a most strange history—but it seems a court martial was at last held, by which each of them was sentenced to receive a private reprimand.

It is impossible that we can easily give up the hero of Erie to a censure like this—or readily suppose that com. *Chauncey* and the gallant officers of

*For this capt. Perry, through capt. Crane and lieut. Macpherson, offered an apology, such as "was thought proper for capt. H. to receive and capt. P. to make,"—but capt. H. then confined by capt. P. would not accept it.

the squadron in the Mediterranean, should become parties in it through an unjust partiality for capt. P. or a pusillanimous fear of his renown. But so it is that, in our opinion, this pamphlet demands a reply. If its facts are mis-stated, it is easy to prove them erroneous—if otherwise, they must make a "serious" impression, injure the service very considerably, and tend to produce a re-action against the naval establishment. Hence it is a *public* concern; for the people, in love of freedom, will not tolerate tyranny—be it committed by whom it may.

Present state of England.

It has long appeared to us, (tho' some may have thought that we ourselves were much in the same way) as if an *American* newspaper could hardly be filled up, either with original or selected matter, without having something in it about *England*, other than articles of ordinary intelligence—as though we had but little in our affairs to interest us. I have ardently wished that we could be brought to look more at home: we have objects enough to command attention, and there are an infinity of things to do to accelerate the progress of the United States to a sure and solid independence.

It is universally admitted that we *shall be* a great nation. The anticipation is delightful—but really, I should like to possess as much of the feeling that belongs to an assurance that the fact *is so*, as is possible. Hence, I want to see an improved agriculture, with an extension of domestic manufactures—a study of political economy and a race of *statesmen* superseding that of *politicians*—the making of roads, bridges and canals, with improvements of our numerous and immensely important rivers and streams—an increased cultivation of the arts and sciences, and of learning in general; with the erection of permanent means for defending our country, &c. and a jealous care exercised to preserve the national independence and keep up that high-toned spirit which at present belongs to the people at large. I would that we should really feel as if we had a home and a country—and be ready to claim, as the proudest title that can be conferred upon us, a citizenship of the United States.

Therefore, we have sometimes been rather disgusted with the eternal *ding dong* in our papers about England, to the neglect of things that a thousand times more concerned us, and have done all that we could to give the current another direction. But, notwithstanding all this, we would have given place to some very interesting letters on the present state of England, just published in the *Boston Chronicle and Patriot*, if we had had room for them. However, their merit has secured for them a very general circulation, and they are in the hands of many of our readers.

The state of the British empire is truly distressing. Misery walks abroad, and is to be met with every where. The papers are filled with details of starvations and executions—distraints of the government and robberies by individuals—and with reports about the poor and of accounts of donations to keep them from literally starving in the streets and highways. Take the following as a specimen of the contents of *two* papers before us—

An account of starvations at Wapping and Moorfields, where "thousands are reduced to actual want." A report of the poor in the parish of St. James's, visited and partially relieved by a committee, amounting to 2,204 families, or 7,672 persons. A statement that the funds of the pawn-broker were exhausted, in consequence of every thing remaining unredeemed. Sacrifices of property—a fine gig-horse, for instance, sold for 3*l*. A prereemptory order of the government to *recover* the taxes, immediately. The transport of 60 persons from the county of Tipperary, under the insurrection act. And further, as particularly regarding the state of Ireland—an account of the execution of Ann Field and her two sons, for having gun powder in their possession; of 18 men being sentenced to be hanged and 69 to transportation, on a Sunday, at Dundalk; of 94 starving to death in the vicinity of Carrickmacross; of an entire family, embracing eight females, being sentenced to be transported, on suspicion of having had in their possession a gun; and of the execution of 300 rioters at Dublin.

These last, however, appear in the *Exile*, a paper published at New-York, and are made up from private letters—the British press having ceased to be a medium for giving the whole truth to the people.*

*While on this subject it may be well to add the following case—it is only one of ten thousand, but it strikes the deeper by its detail. It is copied from the *London Traveller* of the 28th of April.

INSOLVENT DEBTORS' COURT, APRIL 26.

The right hon. John earl of Morley, (late lord Boringdon)
vs.
Thomas Kerswell.

The insolvent, in this case, was remanded on the last sitting of the court, by consent of the parties, it being argued by Mr. Bassett, the counsel, on the part of his lordship, that he had been finally remanded at the session at Exeter, for fraud and concealment of property: and as there was no explanation to the court how a debt of 18*l*. 10*s* could be possibly augmented to the sum of 3,500*l*. the case stood over to be tried on its merits only. Mr. Bassett stated to the court, that since the prisoner was brought up, he had obtained an official document from the clerk of the quarter sessions at Exeter, proving that the prisoner was finally remanded by that court on the 9th of January, 1816.

Mr. Heath on the part of the insolvent (an old man, near 70 years of age,) contended that the certificate could not be produced, as it was agreed, and the adjudication of the court was, that the case should be tried on its merits only; and a former remand had nothing to do with the merits of the case.

Mr. Bassett handed the certificate to Mr. Sergeant Runnington, who said, it being an official document from an under court, it must be received.

Mr. Heath—"It cannot be received unles it is proved, and who can prove the hand writing of the clerk?"

The court was about to decide that it could not be received, when Mr. John Yolland, steward to the plaintiff, addressed the court, and said, that he knew the hand-writing. The certificate being shown to him, he swore that it was signed by the clerk of sessions at Exeter.

Mr. Bassett put the certificate in as evidence, and contended that he, the insolvent, having been remanded by a court below, which had jurisdiction, that the court could not possibly alter its adjudication.

Mr. Heath said, that if that were the law of the case, it would not matter to his client; but he was satisfied it were not, and read to the court a clause in the act 53d of the king, which empowered that court to adjudicate upon a case which had been heard in sessions. He then took another objection to the certificate being received, as it was not according to the act of parliament. The document stated that "the insolvent was not entitled to the

When we see those things, and contrast them with the profligacy and contempt of the wretchedness of the poor that prevails among those possessing the government—for in the same paper there is a statement of the prince regent's expences, amounting, in *one quarter*, to £199,195 16*s*. 7*d*—(nearly a million of dollars) besides the establish-

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benefit of the act, and doth certify the same to the court of insolvent debtors." Such was contrary to the letter of the act.

Mr. Sergeant Runnington said the objection was fatal to the reception of the document.

Mr. Bassett then agreed to go into the case.

Mr. Heath said, he would develope this case, and shew to the court a chain of proceedings the the most iniquitous, oppressive, and inhuman, that had ever been practised, and he would say, exceeding any thing ever disclosed in that court. The prisoner being examined stated, that he rented a farm at Plympton, Devonshire, which he held by lease the last two years under earl Morley. He had lived on the farm thirty-six years, thirty-four of which he rented it under admiral Calmary. About Lady-day, 1810, the earl of Morley purchased the farm; his lease granted by the admiral expired at Lady day, 1812. The earl of Morley applied to him to continue on the farm, and take the adjoining one, which he agreed to do; but his rent was doubled. At that time farming produce was very dear. He paid his rent for two years, and several times applied to the earl to lower his rent or take the lease off his hands, which he refused to do. On the 29th September 1814, he was in arrears half a year's rent. He attended at the rent day and paid 50*l*. and in a fortnight after 20*l*. more, which was 70*l* towards 150*l*; and he took his lease with him hoping the earl would cancel it or lower the rent, as the produce was unsaleable. About a week after, a fair was held for cattle at Tavistock, about sixteen miles from his house. He set out early in the morning, with six yearling bullocks, to the fair, and sold them to a dealer in cattle at the market price, for 24*l*. Out of this sum he paid 10*l* to the plaintiff, and 5*l*. for poor rates. The fair was held on Friday. On the Monday following he was absent at a neighbor's, on a pony belonging to his daughter; and on his return home, he was informed that during his absence, a distress had been put in his house by Mr. Yolland, his lordship's steward. He, therefore, did not take the pony home, but left it at a neighbor's. All his effects were sold for 133*l*.; but his lordship was the principal purchaser, the other buyers were all his lordship's tenants, and no one durst bid against his lordship. Mr. Yolland purchased part of his live stock, for about one third of their value. His lordship received, with the 70*l*. and the 133*l*. more than the rent due, but he claimed 18*l*. 10*s*. as due to him; and Mr. Yolland took forcible possession of the farm, though his lease had eight years unexpired.

His property being all sold, his lordship applied to the magistrate for a summons to serve on him, to appear before them, for taking and selling the six bullocks in a clandestine manner, and 12*l*. the supposed value of the pony. The summons was served upon him when in bed. He being very ill at the time, took no notice of it or the magistrates, as he thought they had no power over him for selling his cattle fairly in an open market, and that no rent was due till the 25th of March following. In a few days after a warrant was granted by the magistrates to apprehend him, and carry him to Bridewell, to be kept to hard labor for six months without bail, unless he paid the amount of 72*l*. which was double the price of the bullocks and the value of the pony. He could not pay the money, and he was dragged out of his bed, bad as he was, and confined six months in Bridewell at hard labor, and had nothing but bread and water during that time.

Mr. Heath.—"Was a distress in your house during the 34 years you lived on the farm under the Admiral?"—"No."

Mr. Heath.—"Was you not considered, at the time the earl of Morley purchased the estates, a very respectable farmer?"—"I was considered the greatest."—[Here the feelings of the old man overpowered him; he burst into tears.]—He continued: "I was considered not only the greatest, but one of the most respectable farmers in that neighborhood; and if I had not been distrained upon, and my rent had been lowered according to the produce of the farm, I should have been doing well; and my wife would not then have been saved from the workhouse merely by the charity of friends. When my term of imprisonment expired, and as I was coming out of Bridewell, two sheriffs' officers arrested me, at the suit of his lordship, for 18*l*. 10*s*. the supposed balance of the rent, and dragged me to Exeter gaol. When my three months expired, I applied under the insolvent act, for relief at the quarter sessions. The earl of Morley opposed my discharge. He stated that I had concealed some of my property, and without any further examination I was remanded. I remained two months longer in prison, and seeing no hopes of being liberated, I got bail, and justified out of custody, on the 12th of January, 1816. In consequence of my not putting in a plea to the action, interlocutory judgment was signed, and an execution was issued out against me. I therefore surrendered to prison on discharge of my bail at the former suit of 18*l*. 10*s*. and in Hilary term I was charged in execution at the suit of the earl of Morley, for the sum 3000*l*. debt, and 15*l*. cost. I know of no claim the earl can have upon me, as no claim whatever has been made upon me but for 18*l*. 10*s*."

Mr. Heath.—"I am satisfied that no peer of England would ever have been concerned in such infamous conduct."

Mr. Yolland being now called and examined, acknowledged that he did purchase some of the live stock when he destrained for the rent on the prisoner.

Mr. Bassett said, were the prisoner to be remanded till the next sitting, he should be able to bring up witnesses that would put the case in a different point of view.

Mr. Heath opposed the case being put off an hour longer.—His client had been imprisoned twelve months, which was quite long enough, at the suit of the plaintiff, for debt, and six months in Bridewell; but that was a case for subsequent consideration; such illegal conduct should not be practised with impunity.

Mr. Sergeant Runnington said, that he was extremely happy the case had been investigated. He should have been sorry had he been remanded on account merely of his former remand. Discharged.

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ment for his wandering wife and her daughter, which the people have had to pay——and recollect that this misery has been brought *home* to England by the misery that her rulers have inflicted abroad;—the uttermost parts of the earth being vexed by her missionaries of crime, penetrating alike the frozen regions of America, to make a traffic in the scalps of women, or the burning plains of Asia to spread

dissention and gather up gold, mixed with the blood of men, our soul is seared against pity, and *we feel that the punishment is just.* Those who at present are the victims of that accursed lust for domination, which has made the *cross* of England almost every where the signal of slaughter or oppression, are innocent, in part, as to the commission; but guilty, in omission, in permitting those things to be. Let them suffer—let misery be heaped upon misery, grievance on grievance, and oppression upon oppression, until, by accumulated distress, they shall assume the management of their own affairs, and shake off, as the vipers of the human race, those that have been the common disturbers of the peace of the world—who, for a pack of *beaver skins,* have subjected whole frontiers to the tomahawk of the savage, and, for a barrel of *rice,* seen the natives of Hindostan strew the high-ways with dead bodies, through a monopoly of their food. Let them suffer, until they resolve to act—and when they resolve, may God give them unity and strength to banish to some new *St. Helenas* the breeds of kings, nobles and priests that eat out their substance, and make them miserable tools to carry misery to others. *Amen!*

A Memorial and Remonstrance,

[DRAWN BY JAMES MADISON, LATE PRESIDENT OF THE UNITED STATES,]

Against the general assessment, presented to the general assembly of Virginia, at the session for the year of our Lord one thousand seven hundred and eighty-five.

To the hon. the general assembly of the commonwealth of Virginia.

We, the subscribers, citizens of the said commonwealth, having taken into serious consideration a bill, printed by order of the last session of the general assembly, entitled, "A bill establishing a provision for teachers of the christian religion;" and conceiving, that the same, if finally armed with the sanction of a law, will be a dangerous abuse of power; are bound, as faithful members of a free state, to remonstrate against it, and to declare the reasons by which we are determined. We remonstrate against the said bill,

Because we hold it for a fundamental and unalienable truth, "that religion, or the duty which we owe to the Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence."* The religion, then, of every man, must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is, in its nature, an unalienable right. It is unalienable, because the opinions of men, depending only on the evidence contemplated by their own minds, cannot follow the dictates of other men. It is unalienable, also, because what is here a right towards man, is a duty towards the Creator. It is the duty of every man to render to the Creator such homage, and such only, as he believes to be acceptable to him. This duty is precedent both in order and time, and in degree of obligation, to the claims of civil society. Before any man can be considered as a member of civil society, he must be considered as a subject of the governor of the Universe. And if a member of civil society, who enters into any subordinate association, must always do it with a reservation of his duty to the general authority; much more must every man, who becomes a member of any particular civil society, do it with a saving of his allegiance to the Universal Sovereign. We maintain, therefore, that in matters of religion, no man's right is abridged by the institution of civil society; and that religion is wholly exempt from its cognizance. True it is that no other rule exists, by which any question which may divide society, can be ultimately determined, but by the will of a majority; but it is also true, that the majority may trespass on the rights of the minority.

Because if religion be exempt from the authority of the society at large, still less can it be subject to that of the legislative body. The latter are but the creatures and vicegerents of the former. Their jurisdiction is both derivative and limited—It is limited with regard to the co-ordinate departments; more necessarily, it is limited with regard to the constituents. The preservation of a free government requires, not merely that the metes and bounds which separate each department of power, be invariably maintained; but more especially, that neither of them be suffered to overleap the great barrier which defends the rights of the people. The rulers, who are guilty of such an encroachment, exceed the commission from which they derive their authority, and are tyrants. The people who submit to it, are governed by laws made neither by themselves, nor by an authority derived from them, and are slaves.

Because it is proper to take alarm at the first experiment on our liberties. We hold this prudent jealousy to be the first duty of citizens, and one of the noblest characteristics of the late revolution. The freemen of America did not wait until usurped power had strengthened itself by exercise, and entangled the question in precedents. They saw all the consequences in the principle, and they avoided the consequences by denying the principle. We revere this lesson too much, soon to forget it. Who does not see that the same authority, which can establish Christianity in exclusion of all other religions, may establish, with the same ease, any particular sect of Christians, in exclusion of all other sects; that the same authority, which can force a citizen to contribute three pence only of his property, for the support of any one establishment, may force him to conform to any other establishment, in all cases whatsoever?

Because the bill violates that equality which ought to be the basis of every law; and which is more indispensable, in proportion as the validity or expediency of any law is more liable to be impeached—"If all men are by nature, equally free and independent,"* all men are to be to considered as entering into society on equal conditions, as relinquishing no more, and, therefore, retaining no less, one than another, of their natural rights; above all, are they to be considered as retaining an "*equal* title to the free exercise of religion according to the dictates of conscience."† Whilst we assert for ourselves a freedom to embrace, to profess, and observe the religion which we believe to be of divine origin, we cannot deny an equal freedom to those, whose minds have not yet yielded to the evidence which has convinced us. If this freedom be abused, it is an offence against God, not against man. To God, therefore, and not to man, must an account of it be rendered.

*Declaration of rights, article 16.

*Declaration of rights, article 1.
†Declaration of rights, article 16.

As the bill violates equality, by subjecting some to peculiar burdens; so it violates the same principle, by granting to others peculiar exemptions.—Are the Quakers and Menonists the only sects who think a compulsive support of their religions unnecessary and unwarrantable? Can their piety alone be entrusted with the care of public worship? Ought their religions to be endowed, above all others, with extraordinary privileges, by which proselytes may be enticed from all others? We think too favorably of the justice and good sense of these denominations, to believe that they either covet pre-eminences over their fellow-citizens, or that they will be seduced by them from the common opposition to the measure.

Because the bill implies, either that the civil magistrate is a competent judge of religious truths, or that he may employ religion as an engine of civil policy. The first is an arrogant pretension, falsified by the extraordinary opinion of rulers, in all ages, and throughout the world: the second, an unhallowed perversion of the means of salvation.

Because the establishment proposed by the bill, is not requisite for the support of the Christian religion. To say that it is, is a contradiction to the Christian religion itself; for every page of it disavows a dependence on the power of this world: it is a contradiction to fact, for it is known that this religion both existed and flourished, not only without the support of human laws, but in spite of every opposition from them; and not only during the period of miraculous aid, but long after it had been left to its own evidence and the ordinary care of Providence: nay, it is a contradiction in terms; for a religion not invented by human policy, must have pre-existed and been supported, before it was established by human policy: it is, moreover, to weaken in those, who profess this religion, a pious confidence in its innate excellence, and the patronage of its Author; and to foster in those, who still reject it, a suspicion that its friends are too conscious of its fallacies, to trust it to its own merits.

Because experience witnesses that ecclesiastical establishments, instead of maintaining the purity and efficacy of religion, have had a contrary operation. During almost fifteen centuries has the legal establishment of Christianity been on trial.—What have been its fruits? More or less in all places, pride and indolence in the clergy; ignorance and servility in the laity; in both, superstition, bigotry, and persecution. Inquire of the teachers of Christianity for the ages in which it appeared in its greatest lustre; those of every sect point to the ages prior to its incorporation with civil policy. Propose a restoration of this primitive state, in which its teachers depended on the voluntary rewards of their flocks, many of them predict its downfal.—On which side ought their testimony to have the greatest weight, when for, or when against their interest?

Because the establishment in question is not necessary for the support of civil government. If it be urged as necessary for the support of civil government, only as it is a means of supporting religion, and if it be not necessary for the latter purpose, it cannot be necessary for the former. If religion be not within the cognizance of civil government, how can its legal establishment be said to be necessary to civil government? What influence, in fact, have ecclesiastical establishments had on civil society? In some instances, they have been seen to erect a spiritual tyranny on the ruins of the civil authority; in more instances, have they been seen upholding the throne of political tyranny; in no instance have they been seen the guardians of the liberties of the people.—Rulers, who wished to subvert the public liberty, may have found an established clergy convenient auxiliaries. A just government, instituted to secure and perpetuate it, needs them not. Such a government will be best supported by protecting every citizen in the enjoyment of his religion, with the same equal hand which protects his person and property; by neither invading the equal rights of any sect, nor suffering any sect to invade those of another.

Because the proposed establishment is a departure from the generous policy which offering an asylum to the persecuted and oppressed of every nation and religion, promised a lustre to our country, and an accession to the number of its citizens. What a melancholy mark is the bill of sudden degeneracy? Instead of holding forth an asylum to the persecuted, it is itself a signal of persecution. It degrades from the equal rank of citizens, all those whose opinions in religion do not bend to those of the legislative authority. Distant as it may be, in its present form, from the inquisition, it differs from it only in degree: the one is the first step, the other the last, in the career of intolerance. The magnanimous sufferer under the cruel scourge in foreign regions, must view the bill as a beacon on our coast, warning him to seek some other haven, where liberty and philanthropy in their due extent may offer a more certain repose for his troubles.

Because it will have a like tendency to banish our citizens. The allurements presented by other situations, are every day thinning their number. To superadd a fresh motive to emigration, by revoking the liberty which they now enjoy, would be the same species of folly, which has dishonored and depopulated flourishing kingdoms.

Because it will destroy that moderation and harmony, which the forbearance of our law to intermeddle with religion has produced among its several seats. Torrents of blood have been spilt in the old world, by vain attempts of the secular arm to extinguish religious discord, by proscribing all differences in religious opinion. Time has at length revealed the true remedy. Every relaxation of narrow and rigorous policy, wherever it has been tried, has been found to assuage the disease. The American theatre has exhibited proofs, that equal and and complete liberty, if it does not wholly eradicate it, sufficiently destroys its malignant influence on the health and prosperity of the state. If with the salutary effect of this system under our own eyes, we begin to contract the bounds of religious freedom, we know no name that will too severely reproach our folly. At least, let warning be taken at the first fruits of the threatened innovation. The very appearance of the bill has transformed that "christian forbearance, love, and charity,"* which of late mutually prevailed, into animosities and jealousies, which may not soon be appeased. What mischiefs may not be dreaded, should this enemy to the public quiet be armed with force of law?

Because the policy of the bill is adverse to the diffusion of the light of Christianity. The first wish of those, who ought to enjoy this precious gift, ought to be, that it may be imparted to the whole race of mankind. Compare the number of those, who have as yet received it, with the number still remaining under the dominion of false religions, and how small is the former! Does the policy of

*Declaration of rights, article 16.

the bill tend to lessen the dispropotion. No; it at once discourages those who are strangers to the light of truth, from coming into the regions of it; and countenances, by example, the nations who continue in darkness, in shutting out those who might convey it to them. Instead of levelling, as far as possible, every obstacle to the victorious progress of truth, the bill, with an ignoble and unchristian timidity, would circumscribe it, with a wall of defence against the encroachment of error.

Because an attempt to enforce by legal sanctions, acts, obnoxious to so great a portion of citizens, tends to enervate the laws in general, and to slacken the bands of society. If it be difficult to execute any law, which is not generally deemed necessary nor salutary, what must be the case when it is deemed invalid and dangerous? And what may be the effect of so striking an example of impotency in the government on its general authority?

Because a measure of such singular magnitude and delicacy, ought not to be imposed without the clearest evidence that it is called for by a majority of citizens; and no satisfactory method is yet proposed by which the voice of the majority in this case may be determined, or its influence secured. "The people of the respective counties are, indeed requested to signify their opinion, respecting the adoption of the bill, to the next session of assembly." But the representation must be made equal, before the voice, either of the representatives or of the counties, will be that of the people. Our hope is, that neither of the former, after due consideration, will espouse the dangerous principle of the bill. Should the event disappoint us, it will still leave us in full confidence, that a fair appeal to the latter will reverse the sentance against our liberties.

Because, finally, "the equal right of every citizen to the free excercise of his religion according to the dictates of his conscience," is held by the same tenure with all our other rights. If we recur to its origin, it is equally the gift of nature; if we weigh its importance, it cannot be less dear to us; if we consult the "declaration of those rights which pertain to the good people of Virginia, as the basis and foundation of government," it is enumerated with equal solemnity, or rather with studied emphasis. Either then we must say, that the will of the legislature is the only measure of their authority; and that in the plenitude of this authority, they may sweep away all our fundamental rights; or that they are bound to leave this particular right untouched and sacred: either we must say, that they may control the freedom of the press; may abolish the trial by jury; may swallow up the executive and judiciary powers of the State; nay, that they may annihilate our very right of suffrage, and erect themselves into an independent and hereditary assembly; or we must say that they have no authority to enact into a law, the bill under consideration. We, the subscribers, say that the general assembly of this commonwealth have no such authority; and that no effort may be omitted on our part against so dangerous an usurpation, we oppose this remonstrance, earnestly praying, as we are in duty bound, that the supreme lawgiver of the universe, by illuminating those to whom it is addressed, may, on the one hand, turn their councils from every act, which would affront his holy prerogative, or violate the trust committed to them; and on the other, guide them into every measure which may be worthy of his blessing, may redound to their own praise, and may establish more firmly the liberties, the property, and the happiness of this commonwealth.

Rhode-Island

INSULT TO GOVERNOR JONES.

FROM THE NEWPORT MERCURY OF JUNE 21.

As many unfounded reports have been circulated respecting the insult which was offered to govenor Jones on his landing here, the day preceding the last general election in this state, we think it proper to publish the following documents:

House of Representatives, June 12, 1817.

Whereas, on the 6th of May last, the day preceding the last general election in this state, a gross insult was offered to the chief magistrate of this state, by music belonging to the United States troops stationed in the harbor of Newport:

Therefore resolved, that a committee be appointed to investigate and report the facts connected with such insult: in order that such steps may be taken by the general assembly, as will maintain the honor and dignity of the state.

Resolved further, That said committee have power to send for persons, and examine witnesses; and that Ephraim Bowen, Nathaniel Searl, and Lewis Rousmaniere, with such as the hon. senate may add, be that committee.

Voted, &c—By order,

THOMAS BURGESS, clerk.

In the senate, read June 13, 1817, and concurred, as expressed in the following words, viz. Whereas it has been reported, that an insult was publicly offered to his excellency, governor Jones, on the day preceding the session of the general assembly in May last:—Therefore resolved, that the hon. Edward Wilcox, Ephraim Bowen, Nathaniel Searl, Lewis Rousmaniere, Samuel Vinson and Stephen B. Cornell, be a committee to inquire into said report, and report to this assembly, as soon as may be.

Voted per order,

SAMUEL EDDY, sec'ry.

In the house of representatives—Read the same day and concurred. By order,

THOMAS BURGESS, clerk.

Report of the joint committee.

The committee, appointed by a resolution of the general assembly at the present session, to inquire into the report of a public insult, said to have been offered to his excellency William Jones, on the day preceding the session of the general assembly in in May last, beg leave to report that application was made, by some gentlemen of the town of Newport, to the commanding officer at fort Wolcott, for the music attached to that command to salute the governor elect on his arrival at Newport, on the day preceding the last annual election—that the music was accordingly ordered into town, and placed under the orders of capt. Robt. B. Cranston, of the artillery company—that the music were placed at Banister's wharf, and on the approach of his excellency gov. Jones, were directed by said capt. Cranston to beat the retreat; which, in opinion of the witnesses present, whom we have examined, was highly improper, and derogatory to the dignity and the honor of the state. The committee have great pleasure in stating, that they have received a polite and gentlemanly letter from col. Towson, (the commanding officer at fort Wolcott, in which he expresses great regret that "any soldier under his command should have been made the instrument of insult to any one; much more the hon. person who has held the dignified station of governor of Rhode-Island; that if any blame could attach to the music, he would have them punished;—but that, he was

persuaded, they could not have been guilty of any indecorum of the kind without orders."

All which is respectfully submitted,

(signed) *Edward Wilcox,*
Stephen B. Cornell,
Ephraim Bowen,
Samuel Vinson,
Nathaniel Searl,
Lewis Rousmaniere.

June 13, 1817.

Fort Wolcott, June 13, 1817.

Gentlemen—I have the honor to acknowledge the receipt of your letter of this morning; and to inform you, in answer to your inquiry, that a gentleman, who was introduced to me by major Watson, applied for the music of the fort, for the purpose, as he stated, of paying respect to the governor elect.

As the music, attached to the company, is under the immediate command of lieut. Wilkins, I referred him to that officer; who informed me he sent the music to Newport, under the command of a corporal with orders to report to Mr. Cranston, and receive his instructions I have sent the corporal for the purpose of examination by the honorable committee, and he will be able to give them fuller and more satisfactory information on the subject.

I regret extremely, that any soldier under my command should have been made the instrument of insult to any one; much more the honorable person who has held the dignified station of governor of Rhode-Island.

If any blame could attach to the music, I would have them punished; but I am persuaded they would not have been guilty of any indecorum of the kind, without orders.

I have the honor to be, gentlemen, your obedient servant, N. TOWSON.

The hon. Edward Wilcox, Ephraim Bowen, Samuel Vinson, Stephen B. Cornell, Nathaniel Searl, Lewis Rousmaniere.

House of Representatives, June 14, 1817.

Whereas by the report of committee of this general assembly it appears, that on the 6th day of May last, a gross insult was offered to his excellency William Jones, hon. governor and commander in chief of his state, by Robert B. Cranston, an officer of the artillery company, of the town of Newport:

Resolved, therefore, That his excellency the governor of this state be and he is hereby requested forthwith to institute a court martial upon the said Robert B. Cranston, upon such charges as may be preferred against him in the premises; and to suspend the said Cranston from his command, until the proceedings under said court martial may be had. Voted per order,

THOMAS BURGESS, clerk.

In the senate—read and concurred.

By order,

SAMUEL EDDY, Secretary.

On the preceding the *Newport Mercury* observes—"Considering the situation in which capt. Cranston is now placed by the foregoing resolution, which passed both branches of the legislature, without a dissenting voice, we deem it improper for us, at present, to make any remarks in regard to his conduct. It is, however, due to the artillery company, of which he is the ensign, to state, that no part of that company had any concern with the music, of which, it appears he voluntarily took charge for the purpose of paying military honors to the governor elect. Capt. Cranston was not on duty with any part of company, and did not act under the orders of col. Champlin on that day. A detachment of the company was ordered out. It was commanded by major Randolph, was stationed at the head of Long Wharf, and fired the customary salute on the approach of governor Jones."

Foreign Articles.

ENGLAND, &c.

The list of British navy officers enumerates as follows:

Admirals	192—employed		12
Captains	371		68
Commanders	797		46
Lieutenants	3983		362
Masters	674		122
Surgeons	947		115
Assistant-surgeons	319		115
Pursers	920		111
Total	8707		980

The duke of Wellington's service of plate, executed under direction of the Portuguese government, and said to have cost 200,000*l.* sterling, has lately been exhibited at London.

Emigration to the United States, from England and Ireland, is much spoken of in the newspapers. The cost of passages is about 12*l.* or 50$ each.

200 persons were on board a single vessel at Portsmouth, on their way to the United States.

The "Holy Alliance" does not seem to be so well liked in England as it was. There is a suspicion that "something more is meant than meets the ear."

The usual bulletin says the king is in good bodily health, but that his disorder is unabated.

Stocks, May 3—three per cent. cons. 73 *a* 73¼.—United States 6 per cents. at London, May 2, 102 *a* 103.

Jack Ketch, who had officiated many years at the Old Bailey, lately died a natural death in the London hospital.

Desperation.—A late London paper says—At the last Assizes, before baron Richards, *William Luff* was tried for burglary in the dwelling house of J. Turner, at Ketton; the offence was committed by Luff and another man, named Briggs (not yet taken) as long back as November, 1815; and the evidence of Luff fully substantiated his guilt. The jury returned their verdict—*guilty;* and the learned judge, in passing sentence, told him that if mercy were extended it could only be on the condition of his being sent away from this country. "I hope not, my lord," interrupted Luff, with hardened boldness, "I would sooner be hanged." "You shall be punished as you deserve," continued the judge in an elevated tone, "and it is not for you to choose the mode." The learned judge then concluded the awful sentence, at the close of which the ruffian exclaimed, laughing, "Thank your lordship!" to the utter horror and disgust of all present.

FRANCE.

Population.—The French Almanacs for 1817 give the following table of the population of Paris for 1815. Of 26,000 children (as nearly as possible) born every year in Paris, 10,000 only attain the age of 20, and 6,800 attain the age of 45. One fourth of the children born die within the first year, and one third never attain 2 years of age. Notwithstanding all the efforts of the French government in support of vaccination, deaths by small pox form a considerable item in this bill of mortality. The calculator proceeds to draw this inference, that if the whole population of France be 29 millions, the middle term of human beings, who attain the age

of 20 years is 261,690. Of the 22,642 children born in 1815, 13,630 were born in wedlock, and 8,982 out of wedlock, which seems to say, that morals are to corruption in the ratio of about 13 to 8, or that there are nearly two honest women for one loose one. It is the custom in Paris, to strike, at the mint of medals, pieces called marriage tokens, which are given by bridegrooms to brides, on the celebration of marriage—of these were sold, during the first and second quarters of the year 1812, 1,171 —and during the second and third quarters of the year 1816, 2,224, being an increase of 1,053.

NETHERLANDS.

The commerce of Amsterdam, Antwerp, &c. has very considerable revived. But the Dutch have much to do before they regain their old ground—which, perhaps, through the superior activity of England, &c. they never will do.

The editor of the Constitutional Journal, at Antwerp, has been arrested, to be tried by a special court—his offence was an article in favor of the merchants of that place.

SWISS.

An account from Jutphaas, Netherlands, April 24, says, yesterday there passed this place "1200 *families*"—and to day 600, of Swiss, on their way to the United States. They are to be followed by greater numbers. It appears that a body of this valuable people, having reached Amsterdam, have been reduced to the utmost distress through the villainy of one with whom they contracted to embark. He received a part of the passage money of each and made his escape. These Swiss are chiefly manufacturers.

GERMANY.

In Austria, a sect called Petzelians, has started up, to sacrifice men to purify others from sin. In Passion week, several men were thus murdered—and on Good Friday a virgin, aged 13, was also butchered in a similar manner. Petzel, the founder and eighty six of his followers, have been arrested, and will be tried.

RUSSIA.

The Russians (observes a New-York paper) whom we have imagined to be a heavy and dull people, without spirit or enterprize, are giving us daily proofs to the contrary. They have taken possession of one of the islands in the Pacific Ocean, not far from the Sandwich islands and have already fortified the same. They will now derive the advantages of the whaling trade, one of the most profitable and necessary pursuits for the Russians, who consume great quantities of oil. We shall shortly find that nation, with their resources and active government, in every part of the world.

Frankfort, April 17.—According to the statements published by Mr. Storch, there are in Russia 20,000,000 roubles in gold and silver coin, 25,000,000 in copper, the real value of which is only 612,000, and 577,000,000 of roubles in paper, which pass at a fourth part of their nominal worth. Russia has therefore 622,000,000 nominal value, of the value of 170,500,000 in money. The government still hopes to raise the value of the public funds by withdrawing paper from circulation.

TURKEY.

Many of the finest provinces of Turkey are in open rebellion. Troops are assembling on the plains of Adrinople. The rebel governor of Bagdad has had a pitched battle with and defeated the "legitimated" authority.

AFRICA.

The long continuance of dry weather in Africa and on the opposite coasts of Spain, has caused great alarm. The *dey of Algiers* has walked in a procession, barefoot and bareheaded, to supplicate the Deity for rain! The Jews have also assembled in their synagogues for the same purpose.

The dey exercises his ships daily, and is increasing his force.

WEST INDIES.

"*Restoration.*"—"Upwards of six thousand six hundred slaves were imported into the Havanna the first week in the last month, June.

BRITISH AMERICA.

A British sloop of war has lately sent twenty sail of American fishermen into Halifax, for trespassing in the waters of the coast.

THE FLORIDAS.

An idea again generally prevails that the United States are about to have the *Floridas* ceded to them. It is an event that we shall hail with pleasure, as, besides their intrinsic value, and the security a possesion of them will afford to an extensive frontier—it will prevent the necessity, for *self preservation*, that we might otherwise have, of destroying the poor indians, led by the intrigues of *foreigners* to murder our people, in the mere wantonness of barbarity.

There is a very probable report that Sir Gregor McGregor has taken possession of Amelia island.

SOUTH AMERICA.

We have received several proclamations, &c. of the Portuguese government on the revolution of *Pernambuco;* but they are not worth inserting. Some vessels had arrived at *Bahia* which were turned off by the blockading squadron. As yet there appears no prospect of reducing the "rebels." Some of the troops sent against them are said to have joined them.

Angustura has fallen into the hands of the patriots, and the spoil must have been immense. The vessels that were sent off by the governor were probably intercepted by a part of Biron's squadron stationed at the Oronoko for the purpose.

We have the official bulletin of the patriots giving an account of their late splendid victory on the Oronoko. They succeeded in drawing the royalists from their entrenchments, when a most terrible battle succeeded—bayonet to bayonet, and sword to sword. The royalists fought like men worthy of a better cause, but were completely routed—they had 593 killed and left on the field, and 497 were made prisoners. The two Guayanas thus fell into the hands of the patriots, and they have also thereby opened a communication with *New-Grenada.* In this decisive battle they had only 31 killed and 75 wounded. It is reported, however, that another royal force was proceeding to the Oronoko to dispute the possession with Bolivar and Piar.

The following is given as "a list and situation of the republican armies of South America, in the provinces of Venezuela and Guayana:"

General Simon Bolivar, at the head of the main army, his head quarters at the Meza, before Angustura, besieging new and old Guayana, with the divisions under generals Piar, Arismendi, Cedeno, Bermudez, Valdez—about 7000 men strong, infantry and cavalry.

General Paes, with the armies of Lower Apure, about 6000 strong, mostly cavalry.

General Sarasa, at Chapana, in the province of Barcelona, rear of Caraccas, with 1500 cavalry and about 600 infantry.

General Monagas, in the rear of Barcelona, with 700 cavalry and 300 infantry.

General Marino, in the province of Cumana, with 2500 infantry and 300 cavalry.

General Razas, at Maturin, with 700 cavalry and 200 infantry.

A list of vessels under the command of admiral Brion, with a complement of 3,500 men, destined for the Oronoko—sailed from Carupana on the 6th of June 1817:—

Sloops of war—Congress, Indio Libre.

Brigs—America, Libre, Conquestador, Valiente, Terrible, Formidable, Carpolican.

Hermaphrodite. Superbe.

Schooners—Centaur, Jupiter, Grerrere, Brion, general Marino, Tartar, gen. Arismendi, Constitution, gen. Farasas, Condor, Venganza, Conesor.

Sloop Aurora.

Gun Boats—St. Anna, Una Sna Del Vaile, La Perla, Devastadora, Felix, St. Joseph, Vengador, gen. Piar, Fulmillante, Invincible, Insurgente, Venganza.

Admiral Brion is exerting himself very much to prevent piracy under the patriot flag.

A patriot privateer, or pirate, as the British West India papers call her, was lately wrecked on Cape Florida. An attempt was made to seize her and the crew, by the British authorities—which was partially effected; but some of them seized a small vessel, and escaped with 140,000 dollars in specie.

A proclamation has been issued by the governor of the island of Trinidad, denouncing the severe penalty of banishment from the colony, and confiscation of property, against all persons detected in transmitting arms, warlike stores, or money, to the independents of South America.

Lord Cochrane (says the Monring Chronicle) has sailed from England, with 300 officers, and $100,000 on board. His destination is not known; some people think he proceeds to Buenos Ayres, and others to Venezuela.

National Feeling.

We are pleased, indeed, to notice the following paragraph in the answer of the house of representatives of Massachusetts to the late address of the governor of the commonwealth:

"With a few occasional and temporary exceptions of national prosperity and striking examples of virtue and patriotism, the histories of other countries exhibits their people sunk in ignorance, debased by slavery, oppressed by misfortunes, or stained by crimes; while that of OUR OWN presents the grateful and singular spectacle of a people, which during its whole existence of nearly two centuries, by its intelligence, its morals, its principles of freedom, and love of justice, has held on its course to opulence and power, unchecked by any signal calamity snd UNSULLIED BY ANY GROSS DEPARTURE FROM NATIONAL RECTITUDE."

Example and Precept.

No less than four-fifths of the late general assembly of the state of Connecticut were entirely clothed in domestic manufactures—and the following was passed at their session just closed.

"Whereas the cotton and woolen factories established in this state, to form and finish cloths from the raw material, are from causes, which are believed to be temporary, subjected to great inconvenience and embarrassment, and deserve as far as practicable, the relief and encouragement of this assembly,

Resolved, as the sense of this assembly, that the establishments in this state for the manufacture of cotton and woolen goods, are of a great public utility—that the protection and extension thereof are connected with the best interests of the state, and that it be and is hereby recommended to the people of this state, to purchase and use (when they can be procured on terms equally advantageous) the woolen and cotton fabrics of this country, in preference to those of foreign countries; and that such establishments from time to time be encouraged and secured by such provisions of law, as their importance demands.

A true copy of record—examined by

THOMAS DAY, Secretary."

Blunt but effective Oratory.

[The following is given by Dr. Ramsey, as the address of Col. Cleveland, of the North-Carolina militia, to his soldiers, previous to an attack made by the Americans upon a body of British troops, commanded by col. Ferguson, at King's mountain, in the year 1780. It appears that the Americans fought much in the same unpolished way as their commander harangued them. The consequence was, the total rout and surrender of the British troops.]

"MY BRAVE FELLOWS,

"We have beat the tories, and we can beat them. They are all cowards. If they had the spirit of men, they would join with their fellow-citizens in supporting the independence of their country. When engaged you are not to wait for the word of command from me. I will show you my example how to fight. I can undertake no more. Every man must consider himself an officer, and act from his own judgment. Fire as quick as you can. When you can do no better, get behind trees or retreat; but I beg of you not to run quite off. If we are repulsed, let us make a point to return, and renew the fight. Perhaps we may have better luck in the second attempt than the first. If any of you are afraid, such have leave to retire, and they are immediately requested to take themselves off."

Ancient Fortifications and Tumuli.

FROM THE REPUBLICAN ADVOCATE.

Ridgeway, New York, June 10, 1817.—These are so common in this part of the country as to excite no great degree of curiosity—but the one before us possesses something of extraordinary interest.

In the 14th township, 4th range of the Holland land company's lands, there is an ancient fort, situate in a large marsh or swamp, it covers about five acres of ground—large trees are standing upon it—the earth appears to have been brought from a distance, as its site is dry gravel and loam—without the embankments it is wet—from its situation it appears to have been the last resort. At the distance of about half a mile from it on the margin of the swamp, there has recently been discovered, on opening the earth, a large quantity of human bones of an unusual and large size; the thigh bone appears to be about two inches longer than a common sized man's—the jaw or chin bone will cover a large man's chin, the skull bones appear of an enormous thickness, and the breast and hip bones are very large; on being exposed to the air, they moulder away.

The bodies appear to have been deposited there by their conquerors, as they were laid across each other in every direction; no appearance of bullets were discoverable about them.

North of the *mountain* or great slope, there is no appearance of ancient fortifications or tumuli—this appears to be a strong circumstance in favor of the idea that the mountain once rounded the shores of lake Ontario.

"Plaster of Paris"

FROM THE BOSTON CHRONICLE AND PATRIOT.

The act regulating the plaster of Paris trade having been published with the year 1813 inserted in the 2d section instead of 1817, we have been permitted to publish the instructions annexed, recently transmitted to the collector of this district, by the comptroller of the treasury, for the information of all persons interested in said trade.

Circular to Collectors, Naval Officers, and Surveyors.

TREASURY DEPARTMENT,
Comptroller's Office June 4, 1817.

SIR—The governments of his Britannic majesty's provinces of New-Brunswick and Nova-Scotia, on the continent of North America, having made regulations in relation to the trade of plaster of Paris, by which the vessels of the United States are totally excluded from a participation in that trade, the subject was taken into consideration by congress, and an act passed on the 3d March last, to take effect from and after the 4th day of July next, entitled "An act to regulate the trade in plaster of Paris"—a copy of which is enclosed for your information and government.

You will observe, from the terms of this act, that it is to continue in force five years from the 31st day of January, 1817; except in relation, only, to such foreign nation or its dependencies, as shall, previously, withdraw or discontinue its restrictions on that trade; in which event, the president of the United States is authorised to declare that fact by his proclamation, whereupon the restrictions imposed by the act now transmitted, are, thenceforward, to be inoperative as to such nation, or its dependencies.

But, so long as this act shall be in force, plaster of Paris, the *production* of any country, or its dependencies, from which the vessels of the United States are not permitted to bring the same article, on being imported in a *foreign vessel*, from any place whatever, is forfeited, together, with the vessel, her tackel, apparel, &c.

A confident reliance is entertained that, by your vigilance, all attempts which may be made, in your district, to evade the provisions of this law, will be detected, and the parties dealt with accordingly.

With due respect,
JOS. ANDERSON.

H. A. S. DEARBORN, esq.

AN ACT to regulate the trade in Plaster of Paris.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That from and after the fourth day of July next, no plaster of Paris, the production of any country, or its dependencies, from which the vessels of the United States are not permitted to bring the same article, shall be imported into the United States in any foreign vessel. And all plaster of Paris imported, or attempted to be imported, into the United States, contrary to the true intent and meaning of this act, and the vessel in which the same may be imported, or attempted to be imported, together with the cargo, tackle, apparel and furniture, shall be forfeited to the United States; and such plaster of Paris, vessel and cargo, shall be liable to be seized, prosecuted and condemned, in like manner, and under the same regulations, restrictions, and provisions, as have been heretofore established for the recovery, collection, and distribution, and remission of forfeitures to the United States, by the several revenue laws.

SEC. 2. *And be it further enacted,* That this act shall continue and be in force five years from the thirty-first day of January, one thousand eight hundred and seventeen: *Provided, nevertheless,* That if any foreign nation, or its dependencies, which have now in force regulations on the subject of the trade in plaster of Paris, prohibiting the exportation thereof to certain ports of the United States, shall discontinue such regulations, the president of the United States is hereby authorised to declare that fact by his proclamation, and the restrictions imposed by this act shall from the date of such proclamation, cease and be discontinued in relation to the nation or its dependencies, discontinuing such regulations.

[*Approved March* 3, 1817.]

Lupenella.

The seed of this most valuable species of grass has been transmitted by our consul at Leghorn to the secretary of the treasury, which is thus spoken of in a letter from him to the acting governor of Georgia,—published in the Georgia Journal of the 10th inst.

"I have lately received from our consul at Leghorn, in Italy, a parcel of the Lupenella seed, which is represented as the finest grass cultivated in that country, for the quantity and richness of the hay; the preference felt for it by all animals, and its fertilizing effects upon the land in which it is cultivated. In Italy it is sown in March and October—it is cut with a sicle to avoid shaking off the blossoms, bound up in bundles of 7lbs, and fed to working horses without grain, as it is sufficiently nutritive of itself.

"*Three years cultivation of this grass enriches the poorest land so much, that two successive and abundant crops of grain are produced without manure.*—This is the account which I have received of it from Mr. Appleton, the consul.—As it succeeds in Italy, there is every reason to believe that it will succeed in Georgia. The quantity I have sent you to furnish several of our acquaintances with enough to put them in stock of it, and thereby multiply the chances of success. It is sown, I presume, broad cast, but drills will be more productive for seed. I am convinced that when sown for hay it ought to be sown thick, as a certain means of keeping the crab grass under. When it is mowed, it may run some risk of assault from this formidable adversary, but I am persuaded it will be diminished by the thickness of the Lupenella."

Chinese Criminal Law.

From the Boston Centinel.

MR. RUSSELL. A copy of the translations of extracts from the Chinese criminal code of laws (which are circulated among the Americans and English at Canton, &c.) has lately fallen in my hands; and as it may afford some information respecting the customs of that remote and apparently benighted nation, you are requested to give them a place.

Translations of extracts from the Chinese criminal code of laws.

1. A man who kills another on the suspicion of theft, shall be strangled, according to the law against homicide committed in an affray.

2. A man who fires at another with a musket and kills him thereby, shall be beheaded as in cases of wilful murder: if the sufferer is wounded (but not mortally) the offender shall be sent into exile.

3. A man who puts to death a criminal, who had been apprehended and made no resistance, shall be strangled according to the law against homicide committed in an affray.

4. A man who falsely accuses an innocent person of theft (in cases of greatest criminality) is guilty of a capital offence; in all other cases the offenders, whether principal of accessories, shall be sent into exile.

5. A man who wounds another unintentionly, shall be tried according to law respecting blows given in an affray, and the punishment rendered more or less severe, according to the degree of injury sustained.

6. A man who, intoxicated with liquor, commits outrages against the laws, shall be exiled to a desert country, there to remain in a state of servitude.

The foregoing are articles of the laws of the empire of China, according to which judgment is passed on persons offending against them, without allowing of any compromise or extenuation.

Literature.

FROM THE NATIONAL ADVOCATE.

Improvement in the Hebrew language.—A highly interesting publication has just been completed in France, which will serve to throw the greatest light on modern learning. Its title page is—

"The Hebrew language restored, and the true sense of its words recovered and ascertained, by their radical analysis," &c. by Mr. Fabre d'Olivet—2 vols. 4to.—Paris, 1813 and 1816.

In the first part of the work of this celebrated writer are found—1st. An introduction to the origin of speech, to the study of the languages leading to it, and to the views of the author in pursuing his plan. 2d. A Hebrew grammar, grounded on new principles, and a mode subservient to the study of all languages. 3d. A series of Hebrew roots, considered in a new light, and intended to facilitate the understanding both of this language and the science of etymology. The second part opens with a preliminary discourse, and a translation in French, of the ten first chapters of the SEPHER, (Genesis) containing the cosmogany of Moses. This translation is intended to corroborate the principles established in the grammar and dictionary.

We shall here give a short account of the motives which determined Mr. d'Olivet to prosecute the execution of this important work. All learned men, who had examined the Hebrew language, and endeavored to understand its genius, were persuaded, setting aside their various countries and religions, that it had been lost for a long time, *the words made use of* in the *grammar* and *dictionaries*, with which it is learned, being grounded on *erroneous principles*. Nearly 600 years before our era, the Jews, themselves, understood no more the language of their ancestors, and had adopted one intermixed with those of neighboring nations. It is in this dialect, called Hebrew, to which, hereafter, were added some Greek and Latin words. The *Talmuds* are written, as well as most of the books considered to be ancients, by the modern Jews. This loss of a language, so materially connected with the history of the earth, and in which so much information was accumulated, has exercised the sagacity of a great number of studious men, at different periods, among various nations and religious sects. Many have attempted, by uncommon labor, to discover its original principles, and through them re-establish it, as well as (of course) the right sense of the words. Not only Christians, but Jews, and even Mahometans, rivalled in zeal for it: but in vain have many among them spent their whole lives in the enterprize, as none could attain its forgotten principles, and the edifice which they sometimes raised, with a thousand struggles, for want of a good foundation, crumbled down at the least touch. The author will not hesitate to say that he knew, long before, the rock on which they all had been wrecked, and would not have ventured on a sea covered with the testimonies of their misfortunes, if peculiar circumstances had not brought him again to the subject almost without perceiving it. His studies were, at first, directed to another object. A work on archeology, embracing the whole history of the earth, fixed his attention. When employed in deep researches about the principal language of Asia and Africa, he was led to examine the Hebrew he had studied in his youth, just after the manner it is generally learned, that is, very imperfectly. This language, interesting under various points of view, attracted the more his notice on account of having not got acquainted with it by the usual channels, either of the Latin or Greek, but by languages that had more analogy with its origin. The uncommon path he had taken, determined the irregular manner he adopted, to contemplate the same; and what many learned men had in vain attempted to do, he accomplished. Without difficulty he discovered the principles of the Hebrew, and rendered himself capable of ascertaining the sense of its terms, not through the knowledge of the Greek and Latin translations, most of which are erroneous, but by an intimate knowledge of its genius. Looking, then, with an investigating eye, on the inestimable monument, transmitted to us by the Hebrews, that is, into the SEPHER of Moses, he saw in it many things, which, in relation to morality, and philosophy particularly, might be vastly interesting for humanity; and he was of opinion that *in this book, come out entire from the sanctuaries of Thebes and Memphis*, we possessed, without thinking of it, *all the sciences of ancient Egypt.*

This discovery was for the author a strong motive for making an attempt to restore the Hebrew language, which could facilitate their knowledge; but he had not that motive alone—for in agreeing with those who have employed their time on the matter, that Hebrew did not differ from the ancient Phenician language, respecting its radical form; what a vast light could not the possession of it throw over the history of Europe, and over the origin of the idioms which, in succession of time, have appeared in it! Every one knows that the *Phenicians* formerly did for that part of the earth what we have recently done for America; that is, they colonized the whole extent of its coasts, civilized the savage nations inhabiting them, gave them laws, religion, and various arts; taught them how to build cities, to form regular societies, and sowed in this way the seeds of those harvests of glory gathered afterwards by the Greeks and the Romans. It is on the language illustrated by these two nations, that have been formed all those spoken at this time in Europe; it is on their literature that all the literature of Europe has been established—and so there is neither public or private instruction without these two languages; no methodical mode of teaching but must be chiefly grounded on them.

These are the principal motives which have determined Mr. D'Olivet to write and publish the present work.

As the translation contained in the second part, mentioned at the beginning of this account, cannot be analized, we shall confine ourselves to an extract from the preliminary discourse, that is, to the statement of the author respecting the advantages which must result from this translation:

"Thanks to my publication of the Sepher, (says Mr. d'Olivet,) Moses will no longer be the shelf of reason, and the spectre of the physical science. In his cosmogany will no more be seen those disgusting contradictions or inconsistencies; those ridiculous pictures which afforded such dreadful weapons to his enemies. In him will no longer be seen a narrow-minded being, supposing the Almighty, actuated only by the most confined views and passions, refusing to man his immortality, and never talking but of the soul seeding away with the blood; but a wise man, initiated in all the mysteries of nature uniting to the substantial and enlightened information which he had acquired in the sanctuaries of Thebes, the light of his own inspiration. If the natural philosopher consults him, he will find in this, his work, the accumulated observations of an *immemerable series of centuries*, and all the experimental philosophy of the Egyptians condensed in few words—he will be able to compare his important *natural philosophy* to *that of the moderns*, and be enabled to judge in what one resembles the other, and whether it is superior or inferior to it. The metaphysician will have nothing to say in opposition, as natural philosophy is not born among us; but it is especially the philosopher who will discover in this book analogies worthy of his curiosity. Were he to have a mind to it, this book will become in his hands a genuine criterion, a touchstone by which he will find, in any system of philosophy, whatsoever that system contains of good or evil: he will, in short, find in it the most correct and sublime thoughts of the philosophers from *Thales* and *Pythargora* to *Newton* and *Kant*. My notes will supply him in that respect with many dates; beside, in writing them, I constantly had under my eyes the four most authentic original versions; I quoted them when necessary; to the other versions I paid little attention, for it is known that none of them can be of any authority."

CHRONICLE.

The Franklin 74, capt. Stewart, is rapidly fitting to sail immediately for the Mediterranean, to relieve the Washington.

The common council of New-York, on the 24th of March last, directed that 1st, 2d, 3d, 4th and 6th streets, in the Bowery, should thereafter be known and designated as follows:

1st-street to be called *Chrystie-street*, in honor of lieut. col. John Chrystie, a citizen of New-York, who died on the Niagara frontier during the late war, while in the service of the United States, 22d July, 1813.

2d-street to be called *Forsyth-street*, in honor of lieut. col. Forsyth, of the U. S rifle corps, and who died of a wound received in Lower Canada on the 28th of June, 1813.

3d-street to be called *Eldredge-street*, in honor of lieut. Eldredge, of New York, who was arrested in his hopeful career by the tomahawk of the savage, in Upper Canada, 7th July, 1813.

4th-street to be called *Allen-street*, in honor of Wm. H. Allen, of the U. S. navy, and who died of a wound received on board the sloop of war Argus, engaged with the British sloop of war Pelican, 14th of August, 1813.

6th-street to be called *Ludlow-street*, in honor of lieut. Ludlow, of the United States navy, who received his death wound on board the U. S. frigate Chesapeake when engaged with the British frigate Shannon, 16th Sept. 1813.

Streets have heretofore been designated *Pike* and *Lawrence*, by order of the common council, in honor of general Pike and capt. Lawrence, of the navy.

Baltimore.——In our late walks we were astonished at the many new and beautiful houses that we saw were erecting, in several parts of our city. We are told that they amount to about *eight hundred*. The building of that vast pile, the Catholic Cathedral church, is resumed and goes on with spirit; a large edifice, designed for an Unitarian church, is going up rapidly; a splendid church, called St. Paul's, is just completed, and another episcopal church is begun; and they have reached the second story, (besides the basement) of the centre building of that mighty fabric that is to be the Exchange. New streets are continually opening and paving, and in spite of "dull times" Baltimore, as to improvements, presents a most delightful and highly interesting aspect.

The New-Hampshire State Prison seems to have about paid the expences of supporting the institution. The receipts and expences are stated as follows:

From June 1816 to June 1817.

Profits of labor including work on the state house	$4,054 06
Received from spectators	75 22
Notes due the institution,	3,017 81
	$7,147 09

Besides a considerable stock of manufactures, provisions, &c. remaining on hand.

Hospital expences	150 00
Interest on monies borrowed	74 81
Expences of joiner's shop	180 74
Provisions	2,385 92
Cloathing, &c. of convicts, guard, and wages of watchmen	3,939 92
Repairs and additional buildings	971 11
	$7,702 50

New Hampshire. Six ballotings have been had in the legislature of New Hampshire to elect a senator in the place of Mr. Mason (fed.) resigned. The rep. candidate, Mr. Storer, had 87 votes, Mr. Smith fed. 83—neither having a majority of the whole number of votes (188) the further balloting was postponed to the ensuing week.

Ohio. It is stated that governor Cass is invested with authority from government to purchase and so extinguish the Indian title to lands in the state of Ohio. The procedure will confer a signal service on this most rapidly growing state—a little while since a wilderness, and now containing more than half a million of freemen.

The Hudson. We are, indeed, much pleased to see that the project for deepening the Hudson, so as to produce a permanent depth of *twelve* feet to Albany, by the erection of piers to lessen the width of the channel, at certain places, seems to be accepted as easy to accomplish. Regarding that noble river as the great outlet and inlet of an incalculable trade to be carried on by our inland seas, being connected to them by a canal, we hope that no reasonable means will be spared to give it every degree of improvement of which it is susceptible. The commissioners of the great canal have borrowed $200,000 for 6 per cent. stock, issued at par, to make a beginning with.

Military. The corps of *cadets*, belonging to the military academy at West Point, 200 strong, under command of captain Partridge, and accompanied by their elegant band, arrived at New-York on the 24th ult. on a visit, or as a short relaxation from their usual studies. They visited the theatre in

the evening, where the play was the "School for Soldiers" and the afterpiece of the "Broken Sword." This youthful band astonished and delighted the people by the precision and celerity of their movements and firings. They were reviewed by the governor elect of New-York, gen. Morton, &c.

The U. S. frigate Macedonian, at the navy yard in Charlestown, has undergone a thorough overhaul, and repair. She was found extremely defective in her upper works; but is now one of the firmest and most compact vessels of her class in the service.

The U. S. frigate Congress, brig Boxer and schr Firebrand, are cruising in the gulph of Mexico and West India seas.

Westward A certain Jeremiah Meade and his brother with their children and grand children, *thirty* in number, lately passed through Pittsburg on their way to Indiana.

Alexandria Inspections, for the year ending June 11—201,935 bbls. of flour, 6,575 half do. 72 bbls. rye do. 60 half do. do.

Crimes. We observe a long detail in some of our papers, copied from the British journals, giving an account of a certain crime committed in the *Isle of Man*, by a person of great wealth and fortune there. I never see any thing of this sort published without recollecting the saying of the Greek philosopher, who, being in a vessel with pirates importuning the gods to protect them during a storm, advised them to hold their tongues, and, if possible, keep it from the knowledge of the gods that they were on board, lest the innocent might perish with the guilty. *Verbum sat.*

Mississippi and Alabama. The division of the Mississippi territory appears to receive the public approbation. A convention is expected to form a constitution and accept of the bill for admitting the former into the union as one of the states. The Pittsburg Gazette says that gen. *Jackson* is now superintending the erection of a national cannon and cannon ball foundery, on Shoal creek, Madison county, Mississippi territory. He has laid off 30,000 acres for the use of the establishment.

Hydrophobia. A case of this dreadful disease, in which the patient died in terrible agonies, occured in Baltimore a few days ago, supposed to be from the bite of a dog about *twenty* years before, and not then thought mad.

The president is proceeding on his tour with every mark of respect—the last account we had of him he was at New-London. Details hereafter.

The story of the Greek ship Jerusalem (mentioned in this paper) sinking in consequence of the corrosion of her iron by quicksilver, is now believed to be made up for the mere purpose of swindling the charitable.

INTERNAL IMPROVEMENTS. During the nine years of governor Snyder's administration, 1,710,082 dollars have been appropriated in Pennsylvania to internal improvements.

Stocks. United States 6 per cents. at Baltimore, June 28, 102¼ *a* 102½. As the banks pay specie, this is the specie value.

Internal Navigation. We lately noticed a speedy prospect of an internal water communication between lake *Ontario* and the *Chesapeake* bay—and by the *Susquehannah*, quantities of goods are received at *Baltimore* every year from the western parts of the state of New-York. We observe in a late *Pittsburg* paper that lumber has arrived there also, brought down the Alleghany, from the same state. It is supposed that pot and pearl ashes, so important to the manufactories there, will soon follow, with supplies of plaster of Paris, &c. What a country are we blessed with—every way intersected with streams to invite us to union, by making it our interest to love one another.

Employment for shipping! In the absence of a better business, we have several cases of vessels, laden with stones, &c. employed to defraud the insurance offices, by being sunk at sea, with attempts to make it appear that they have valuable cargoes on board, &c.

Specie. Another vessel has arrived at Charleston from Jamaica, with 100,000 dollars.

Fish. Eleven fishing vessels arrived at Philadelphia on the 26th ult. with full fares from the banks. This is a new branch of industry, which we hope may be well rewarded.

A TRIO. *Thomas Jefferson* and *James Madison*, ex-presidents of the United States, and *James Monroe*, our present president, met near Charlotteville, Va. on the 5th of May, to assist in fixing a site for a "Central College," under an act of assembly. What a spectacle! Where should we look for its fellow?

A certain captain John Parker lately died in Massachusetts at the advanced age of one hundred and twenty years.

Hail. There was a hail storm in Washington county, Md. on the 21st inst. which did great damage. The hail was generally of the size of a hulled walnut, and some of the stones were four inches in circumference.

Stages. By an advertisement of the postmaster-general, it appears, that after the expiration of the present contract, the mail is to be carried in stages from Pittsburg to Louisville in Kentucky, (a distance of four hundred and forty miles,) in seven days.

A *strawberry* has been plucked near Philadelphia that measured four inches and an eighth in circumference.

EMIGRATION FROM THE UNITED STATES.

From a Quebec paper.

Statement shewing the number of British subjects who lately left Great Britain and Ireland for the United States of America, and who received, between the 10th of March and 10th of May 1817, passports to entitle them to grants of land, from James Buchanan, his majesty's consul at New-York, to proceed to British North America, chiefly to Upper Canada.

Farmers		87	
Laborers		37	
Manufacturers		37	
Mechanics		186	—347
Women		185	
Children		458	—990
Of this number were—			
ENGLISH—	Men	124	
	Women	73	
	Children	132	—329
SCOTS,	Men	68	
	Women	28	
	Children	89	—178
IRISH,	Men	159	
	Women	84	
	Children	238	—481
			988
Number last autumn			349
	Total,		1,328

Number of applications approved by the consul up to the 30th May, 1658.

Many emigrants are also said to have arrived in Canada and Nova Scotia direct from the British islands.

NILES' WEEKLY REGISTER.

No. 20 of Vol. XII.] BALTIMORE, SATURDAY, JULY 12, 1817. [whole no. 306.

Hæc olim meminisse juvabit.—Virgil.

PRINTED AND PUBLISHED BY H. NILES, AT THE HEAD OF CHEAPSIDE, AT $5 PER ANNUM.

Letters of Thomas McKean.

Quincey, June 30, 1817.

Mr. Niles,

The oldest statesman in North America is no more. Vixit.

Mackean, for whose services, and, indeed, for whose patronage, the two states of Pennsylvania and Delaware once contended, is numbered with his fathers.

I cannot express my feelings upon this event in any way, better, than by the publication of the inclosed letters:

1. June 13, 1812.
2. August 20, 1813.
3. August 28, 1813.
4. November 15, 1813.
5. January, 1814.
6. October 15, 1814.
7. November 20, 1815.
8. June 17, 1817.

I pray you to print these letters in your Register.

JOHN ADAMS.

Editor of the Baltimore Weekly Register.

Philadelphia, June 13th, 1812.

Dear Sir—On my return from a tour to the state of Delaware, I found your kind letter of the 2d instant, and thank you for this mark of esteem.

Our venerable friend Clinton has gone before us, so has the illustrious Washington, eleven years ago; and I have nearly outlived all my early acquaintance. I remain the only surviving member of the first American congress, held in the city of New-York in October, 1765; and but three more, of whom you are one, remain alive of the second, held in this city in September, 1774. It was my fate to be delegated to that trust annually during the revolutionary war with Great Britain, until the preliminary articles of peace were signed in 1782, which afforded me an opportunity of knowing every member of congress during the whole of that time; and I declare with pleasure and also with pride, that I embraced the political sentiments of none with more satisfaction (being congenial with my own) than yours; nor do I recollect a single question in which we differed.

It is true, I was a friend to the revolution in France, from the assembly of the Notables until the king was decapitated, which I deemed not only a very atrocious but a most absurd act. After the limited monarchy was abolished, I remained in a kind of apathy with regard to the leaders of the different parties, until I clearly perceived *that* nation was incapable at *that* time of being ruled by a popular government: and when the *few* and afterwards an *individual* assumed a despotic sway over them, I thought them in a situation better than under the government of a mob, for I would prefer any kind of government to such a state, even tyranny to anarchy. On this subject then, I do not conceive we differed widely.

My dear sir, at this time of our lives, there can certainly be no question, as you observe, of honors, profits, rank or fame between us; I shook hands with the world three years ago, and we said farewell to each other; the toys and rattles of childhood would, in a few years more, be probably as suitable to me as office, honor or wealth; but (I thank God) the faculties of my mind are as yet little if any thing impaired, and my affections and friendships are unshaken: I do assure you that I venerate our early friendship and am happy in a continuance of it.

Since my exemption from official and professional duties, I have enjoyed a tranquility never (during a long protracted life) heretofore experienced, and my health and comforts are sufficient for a reasonable man.

Our country is at this moment in a critical situation; the result is in the womb of fate; our system of government, *in peace*, is the best in the world, but how it will operate *in war* is doubtful; this, however, is likely to be soon put to the test, and I sincerely regret it.

There is a cheerful air in your letter that evidences health, peace and a competency, which that you may long enjoy is the sincere wish and ardent prayer of, dear sir, your old friend and most obedient servant,

THO'S McKEAN.

John Adams, Esquire,
Late President of the U. S. of America.

Philadelphia, August 20th, 1813.

Dear Sir—I can at length furnish you with a copy of the proceedings of the congress held at New-York in 1765; it is inclosed herewith. After diligent enquiry I had not been able to procure a single copy, either in manuscript or print, done in the United States, but fortunately met one, published by I. Almon, in London, in 1767, with a collection of American tracts, in four octavo volumes, from which I caused the present one to be printed: it may be of some use to the historian at least.*

The marquis de Casa Yrujo, with my daughter, their children and servants, made me a visit on his return from an embassy to the prince regent of Portugal, at Rio Janeiro, in Brazil, last June was a year, and remained here until a few weeks ago, owing to the embargo, war, blockades, &c. when they sailed for Cadiz. The above circumstances, with others, will, I trust, be some apology from my long delay in answering your last esteemed letter.

In the congress of 1765 there were several conspicious characters: Mr. James Otis appeared to me to be the boldest and best speaker—I voted for him as our president, but brigadier Ruggles succeeded by one vote, owing to the number of the committee from New-York, as we voted individually: when the business was finished, our president would not sign the petitions, and peremptorily refused to assign any reasons, until I pressed him so hard that he at last said, "it was against his *conscience;*" on which word I rung the change so loud,

* The journals of this congress, taken from the original M. S. S. of its clerk [John Cotton, esq.] were published in the Weekly Register, vol. II.—July 1812.

that a plain challenge was given by him and accepted, in the presence of the whole corps; but he departed the next morning before day without an adieu to any of his brethren. He seemed to accord with what was done during the session so fully and heartily, that Mr. O is told me frequently it gave him surprize, as he confessed he suspected his sincerity.

There was less fortitude in that body than in the succeeding congress of 1774: indeed some of the members seemed as timed as if engaged in a traiterous conspiracy. Mr. Ogden, then speaker of the New-Jersey assembly, following the example of the president, declined to sign the petitions, though warmly solicited by myself in private and also by my father-in-law, col. Borden, his colleague: the consequence of my mentioning this fact, as I returned to Newcastle through New-Jersey, was to Mr. Ogden a burning in effigy in several of the counties, and his removal from the office of speaker at the next meeting of the general assembly; and to me, menaces of another challenge. The great mass of the people were at that time zealous in the cause of America. Other incidents of that day are recollected, but they are of trivial import.

In the year 1778, and afterwards until the preliminaries of peace were signed, the members of congress varied yearly in point of talents and exertions in favor of the revolution: they seemed to be considerably governed by the prospects before them, as they were promising or the contrary: however a great majority were staunch whigs at all times.

Whatever may be the fate of our government in the United States, I decidedly think with you, for the reason you assign, that a democratic form in France, in the present age, was preposterous: I entertain the same opinion of the Spanish provinces in South America. The form established last year by the cortes of Spain is admirably adapted to the state of civilization in the peninsula—it is a capital performance, but will be attacked and resisted by the inquisitors, jesuits, monks, and all the bigots and petty tyrants.

It does not seem to me, that either of your successors enjoy more ease than your predecessor. Mr. Madison has paid too great a deference to the recommendations to office by low and designing men, who stood very much in need of recommendations themselves, though excellent democrats, if they were to be credited;—Mr. Jefferson split on the same rock; many of their appointments have been exceedingly improper: though general Washington conferred offices on some tories, yet they were capable and only undeserving.

My paper is drawing to a close, so is my life; I am now in my eightieth year, therefore more than a year older than you. Had you not noticed the *quiveration* of your hand (an expressive word, though newly used) I should not have discovered it—mine quivers very much when feverish or agitated by severe exercise; my eyes grow dimmer, my hearing duller, and I have other symptoms of age; but why repeat grievances that cannot be redressed? May you not only continue to enjoy, but increase your health and odium cum dignitate with every other blessing.

Dear sir, your friend,

THO'S McKEAN.

Hon. JOHN ADAMS.

Philadelphia, August 28th, 1813.

DEAR SIR—With sincerity I condole with you on the death of your daughter; I had five children who have died, three of whom have been married and left a numerous offspring. By these events *we* have sustained the deprivation of great comforts; but *our* loss is *their* ineffable gain, they are in the bosom of their father and their God. These are among the common calamities of life; resignation to the dispensations of Providence, and gratitude for all the blessings left us are indispensable duties.

Your favor of the 31st last month would have been acknowledged before now, but from a hope I entertained of giving you some account of the congress at Albany in 1754: however, after considerable enquiry, I have been disappointed. I have a feint recollection, that it was appointed by the British ministry for the ostensible purpose of ascertaining the boundaries of the several colonies to the eastward of Delaware; but in reality to propose the least offensive plan for raising a revenue in America. In 1739, Sir William Keith, a Scotch gentleman, who had been a lieutenant-governor of Pennsylvania, proposed such an assembly to the ministry; he also proposed the extension of the British stamp-duties to the colonies. He was then, I believe, in the Fleet-prison. The hints he gave were embraced, the first in 1754, the second in 1764.

It has been long a matter of surprise to me, that no gentleman of talents and character has undertaken to write a history of the former British colonies, now United States of America, at least from 1756 to 1806, a period of fifty very important years. Such a work would not only be a great benefit to posterity but also to the author—it would sell well.

To form an opinion that a majority of the people of Pennsylvania were against the American revolution at its commencement, was not uncommon, especially by strangers: the mistake arose from the circumstance of a large majority of their representatives and civil officers being in the opposition. This state was first settled by a colony of Quakers, their proprietor and governor, William Penn, being at the head of the sect: they had the entire government or rule of Pennsylvania from 1682 until 1776, by the following means: The province was in the beginning divided into three counties, Philadelphia, Chester and Bucks, and when the three lower counties on Delaware (now state of Delaware) separated from them in 1700, each county had eight members in the legislature, and the city having been incorporated and inhabited chiefly by that sect, was allowed two. Eight other counties were erected prior to the revolution, and were allowed, some two, some but one representative, so that in all they had but ten; although, if they had founded the representation according to the number of human beings in each district or county, the Quakers would have been greatly overruled, even adding all the tories or enemies of the revolution to their number. The voice of the representatives was not the voice of the people, as is the case with the British parliament; the three Quaker counties, having 24 members in assembly, made all the laws. They gave great trouble to the whigs, but they were kept under by fear as well as by superior numbers: from that day the people called Friends have ceased to rule Pennsylvania; they foresaw the consequences of an equal representation, as it would affect themselves, and this was a principal cause of their aversion to a change in the form of our government as a body, though many individuals of their society differed with them and became active and good citizens.

In the marriage of our children, *their*, not *our* happiness is to be chiefly consulted; I confess, my wish is to have them established in their native country.

On reflection, I cannot refer to a single instance of disinterested or evident friendship of Great Bri-

tain towards this country during the period you mention: every act which might bear such an aspect, has been performed for the interest of the administration alone, although coupled in some cases with that of their own island.

I shall be always pleased with your correspondence, and happy in contributing to your amusement. Your able talent for writing history, and your eminent public stations, induced a hope that we should be favored with an account of the transactions in America, for at least the last sixty years, from your pen.

THO'S McKEAN.

—

Philadelphia, November 15th 1813.

DEAR SIR—I have to thank you for the introduction of the Rev. Mr. Henry Coleman to my acquaintance, and am sorry his other engagements deprived me of his company as often and in the manner I wished.

My last letter was (I perceive) dated in August instead of September; your's of that date, to which mine was an answer, bore the same date, and I suppose lay before me. Old age will discover itself whether we will or not.

The anecdote of Sir William Keith's proposal to the British ministry is to be found in the latter end of the 1st volume of American Tracts, printed by I. Almon, in London, 1767: it had been published in London in 1739, and is titled "A proposal for "establishing by act of parliament the duties upon "stampt paper and parchment in all the British "colonies." Part of the anecdote I had by tradition, and in a novel, "Peregrine Pickle;" for I have read and still read novels: these fabulous histories afford me not only amusement but pleasure, because they almost universally make vice detested and punished, and virtue triumphant, which is not the case of history of real life.

With respect to the histories of North America hitherto published I concur with you in opinion; they were not popular, because the authors were little known, and it was known, that they had not an opportunity of *personal* knowledge of the facts they related, and in several of them were mistaking: the authors seem to have paid too much attention to those whom they supposed would, from their reputation for wealth and influence, be most likely to promote the sale of their books, or otherwise advance their fortunes: this temptation is now done away; the favored characters are all dead, and very few of their descendants at present in any way distinguished.

I have briefly mentioned the situation of the people of Pennsylvania at the time of the American revolution; the like shall now be done with respect to Delaware. This small state was inhabited before Pennsylvania; it consists of only three counties, viz. Newcastle, Kent and Sussex; the last was settled by a few families from Sweden, more from Holland, but the great mass from England; Kent was nearly in the same proportions; and Newcastle was inhabited from Sweden, Holland, but the great majority were from Ireland—there were a few from England and Scotland. In Newcastle, three-fifths were at the time of the revolution Presbyterians; in Kent about five-eighths Protestant Episcopalians, and in Sussex two-thirds of the latter. The "Society in London for Propagating the Gospel in Foreign Parts," had about half a dozen missionaries, perhaps more, in the state of Delaware, to some of whom they gave a salary of 60*l.* to others 50*l.* sterling a year; these ministers foresaw, that if America became an independent state or nation, their salaries would necessarily cease; it was their interest therefore, to oppose the revolution, and they did oppose it, though with as much secrecy as practicable; they told their hearers, many of whom, especially in Sussex, were illiterate, ignorant and bigotted, that it was a plan of the Presbyterians to get their religion established, that it originated in New-England and was fostered by the Presbyterians in every colony or province: a majority of this state were unquestionably against the independence of America, but the most sensible of the Episcopalians, the Baptists and Quakers, and the Presbyterians, with very few exceptions, prevailed against them, as they believed they would be overpowered, with the help of the other colonies, if they resisted. I could not avoid remarking, that I was chosen, unanimously, speaker of the house of representatives of this state, when, of all the members present, there were but six, including myself, who were esteemed whigs.

That you may continue to enjoy health and every other blessing is the sincere prayer of, dear sir, your old friend,

THO'S McKEAN.

The hon. JOHN ADAMS.

—

Philadelphia, January, 1814.

DEAR SIR—In your favor of the 26th November last you say, "that you ventured to say, that about a third of the people of the colonies were against the revolution." It required much reflection before I could fix my opinion on this subject, but on mature deliberation I conclude you are right, and that more than a third of influential characters were against it. The opposition consisted chiefly of the Friends or Quakers, the Menonists, the Protestant Episcopalians, whose clergy received salaries from the Society for propagating the gospel in foreign parts; and from the officers of the crown and proprietors of provinces, with their connexions, adding the timid and those who believed the colonies would be conquered, and that of course they would be safe in their persons and property from such conduct and also have a probability of obtaining office and distinction, and also the discontented and capricious of all grades.

I have not heard the specific sum of money Mr. C. J. Marshall received for his copy right of the Life of Washington, nor have I been able to obtain any certain information concerning it; but if he obtained a sixth part of what you mention, I think he ought to be contented.

During my protracted life I neither have had leisure or inclination to write a history, and at my present age it is out of the question. It is true, I have often been spoken to and even solicited by a great many of my learned acquaintance to undertake that of the American revolution, beginning at the year 1760 or before; among them Dr. Rush, your former correspondent, was not the least anxious.

Though I shall never write a history, I will give you an historical fact respecting the declaration of independence, which may amuse, if not surprise.

On the 1st July, 1776, the question was taken in the committee of the whole of congress, when Pennsylvania, represented by seven members then present, voted against it—4 to 3; among the majority were Robert Morris and John Dickinson. Delaware, (having only two present, namely, myself and Mr. Read) was divided: all the other states voting in favor of it. The report was delayed until the 4th, and in the mean time I sent an express for Cæsar Rodney, to Dover, in the county of Kent, in Delaware, at my private expence, whom I met at the

state-house door on the 4th of July in his boots; he resided eighty miles from the city, and just arrived as congress met. The question was taken, Delaware voted in favor of independence; Pennsylvania, (there being only five members present, Messrs. Dickinson and Morris absent) voted also for it; Messrs. Willing and Humphries were against it. Thus the thirteen states were unanimous in favor of independence. Notwithstanding this, in the printed public journal of congress for 1776, vol. 2, it appears that the declaration of independence was declared on the 4th of July 1776, by the gentlemen whose names are there inserted; whereas no person signed it on that day, and among the names there inserted, one gentleman, namely, George Read, Esq. was not in favor of it; and seven were not in congress on that day, namely, Messrs. Morris, Rush, Clymer, Smith, Taylor and Ross, all of Pennsylvania, and Mr Thornton of New-Hampshire; nor were the six gentlemen last named, members of congress on the 4th of July. The five for Pennsylvania were appointed delegates by the convention of that state on the 20th July, and Mr. Thornton took his seat in congress for the first time on the 4th November following: when the names of Henry Wisner of New-York, and Thomas M'Kean of Delaware, are not printed as subscribers, though both were present in congress on the 4th of July and voted for independence.

Here false colors are certainly hung out; there is culpability somewhere: what I have heard as an explanation is as follows: When the declaration was voted, it was ordered to be engrossed on parchment and then signed, and that a few days afterwards a resolution was entered on the secret journal, that no person should have a seat in congress during that year until he should have signed the declaration of independence. After the 4th July I was not in congress for several months, having marched with a regiment of associators, as colonel, to support general Washington, until the flying camp of ten thousand men was completed. When the associators were discharged, I returned to Philadelphia, took my seat in congress and signed my name to the declaration on parchment. This transaction should be truly stated, and the then secret journal should be made public. In the manuscript journal, Mr. Pickering, then secretary of state, and myself saw a *printed half sheet* of paper, with the names of the members afterwards in the printed journals, stiched in. We examined the parchment where my name is signed in my own hand-writing.

A glimmering of peace appears in the horizon; may it be realized: but every preparation should be made for a continuance of the war. When the British arms have been successful, I have never found their rulers or ministers otherwise than haughty, rude, imperious,—nay, insolent. They and their allies have this year been successful, both in the north and south of Europe.

My sight fades very fast, though my writing may not discover it. God bless you. Your friend,

THO'S McKEAN.

His Excellency JOHN ADAMS.

—

Philadelphia, October 15th, 1814.

DEAR SIR—The communications of our plenipotentiaries at Ghent give complete evidence of the temper and views of the British government respecting peace with the United States; they will emphatically *unite* them. I have always been of opinion that the administration of Britain intended to protract the negociation until the result of the present campaign should be known; but, until now, I did not believe they meant to continue the war longer. War, then, is the order of the day. We will never be British colonies again. The loss of the lives of many thousands of our fellow-citizens and of millions of treasure must be the consequence; but in times of peace death is not idle, and luxury and dissipation squander millions. When not half as numerous and not a tenth part so wealthy, we fought them, near forty years ago, with the assistance of five or six thousand troops from France, and the diversion occasioned by the French navy, and we beat them. We are now so well prepared, and have had such recent proofs of skill and bravery, both on the ocean and on the land, that there is no reason to despair of success again.

The year ensuing will be the year of trial:—we shall then have as able and as brave officers and privates as we have ever had; nay, I will venture to say, superior by sea and land—and, when I reflect, that we can bring ten men into the field for the same expence as our enemy can one, (for they will have to bring their forces three thousand miles at least before they can meet us) there is reason to conclude our finances will hold out as long as theirs; especially when we consider they have been lately twenty years at war with another country, that commanded all their energies.

An omnipotent and benevolent Providence may, by permitting new broils and contests in Europe, or by other means, furnish other employment for the British administration, besides planning the destruction or subjugation of an innocent people, fighting for their independence and just rights. On God let us rely; he has been and still is our general in chief.

I thought I had done with the world, having spent eighty years in it, but unexpected events have recalled my attention to it for a short time.

The declaration of war appeared to me improvident and very wrong; but now there must be no retrospection; all our powers must be exercised on the present and the future.

In Philadelphia we are at last roused and preparing for defence and safety. There is an entire change of elective officers, both in this city and county, without a single exception.

This will be handed to you by the rev. Mr. Coleman, who makes but a short stay here: he has assured me of your good health. Having this opportunity, I could not refrain writing, and my mind being engrossed with the situation of our country, in obtaining and securing the happiness of which you and I have employed so many years of our lives, at the risk of every thing valuable in this world, has forced from me a political epistle. Your worthy son being placed at the head of the commissioners, of the United States, for negociating a peace, has hitherto prevented me from engaging my pen to you about the politics of the times.

May we live to see an honorable and successful termination of this second arduous contest for American liberty; and may you be as happy as I wish you. Your friend,

THO'S McKEAN.

His excellency JOHN ADAMS.

—

Philadelphia, November 20th, 1815.

DEAR SIR—I can now answer the questions in your favor of the 30th July last, viz. Who shall write the history of the American revolution, &c.?

Major general James Wilkinson has written it. He commences with the battle of Bunker's or Breed's hill, at Boston, and concludes with the battle near New-Orleans, on the Mississippi, a period

of forty years. It will be published in three volumes large 8vo, each containing about 500 pages.

The general, I am informed, confines himself to military transactions, with a reference to a very few of the civil. I knew him personally near forty years ago, but have not seen or heard from him for the last seven years: I think him above mediocrity. He has been in the army during the whole time, and is better qualified to give a description of its proceedings than any gentleman with whom I am acquainted.

This history has been written within the last seven or eight months, at Germantown, about six miles from this city; though I have not heard of the general being there until lately: he has kept himself quite retired and private.

I do not recollect any *formal* speeches, such as are made in the British parliament and our late congresses, to have been made in the revolutionary congress, though I was a member for eight years, from 1774 until the preliminaries of peace were signed. We had no time to hear such speeches; little for deliberation: action was the order of the day. The speech of Mr. Richard K. Lee, given by the Italian, the chevalier Botta, which I have read, may have been delivered, but I have no remembrance of it, though in congress, nor would it do any member much credit: I have no favorable opinion of the Chevalier, he appears to me a vain and presuming character to have attempted such a history; perhaps the res angustæ domi (poverty) impelled him.

Although we may not in the United States have a Thucidydes, a Tacitus, Hume, Robertson or Gibbon, who have been reckoned the best historians in Greece, Rome or Great Britain, yet we have gentlemen of great talents and capable of writing the history of our revolution with at least as much regard to truth as any of them has exhibited.

With respect to general Wilkinson I recollect an anecdote: he was in 1777 an aid to general Gates, and by him sent to congress at Yorktown, in Pennsylvania, with the dispatches, giving an account of the surrender of Sir John Burgoyne and the British army to the Americans at Saratoga; on the way he spent a day at Reading, about fifty miles from Yorktown, with a young lady from Philadelphia, whom he afterwards married. When the dispatches were read in congress, propositions were made for paying a proper compliment to the favorite of general Gates who brought us such pleasing news. Gov. Samuel Adams, with a grave and solemn face, moved congress that the young gentleman should be presented with "a pair of spurs."

What changes in Europe have occurred since I had the pleasure of writing to you last? Lewis 18th is again on the throne of France, the great Napoleon at the bottom of the wheel, never to rise more, a prisoner for life. The French nation miserable; Spain has re-established the tribunal of the Inquisition and restored the Jesuits. The rulers of Portugal void of common sense. South America in a state of opposition to the government of Spain, and in all appearance will soon be independent of it. Whatever is is right, said Mr. Pope, the first of poets and moralists.

I have nothing to do with politics, nor much with any thing else in this world, but I hear and listen. It is said that James Monroe, secretary of state, John Armstrong, late secretary at war, Dewit Clinton, late mayor of New-York, and perhaps Rufus King, now a senator, will be proposed as candidates for the next presidency. I do not think the prospect of either or any of them very encouraging.

Mr. John Q. Adams has been named, but it not known whether this may not create jealousy or injure him with the present administration, which his friends would by all means avoid.

My sheet is almost finished. God bless you.

Your old friend,

THO'S McKEAN.

His Excellency JOHN ADAMS.

Philadelphia, June 17th. 1817.

DEAR SIR—I am at present obliged to write to you by another hand. The inclosed letter was sent to me in May last, by your son Thomas B. Adams, Esq. with a request that I should return it under cover to you. I regret that owing to a mistake of his residence, I had not the pleasure of his company at my table when he was last in this city. Miss Rutter has been so kind, I understand, as to explain the circumstance to him.

It seems that the office of secretary of state, the talents of the candidates being equal, is the step-ladder to the presidential chair, at least it has been so in the cases of the three last presidents. Now as your son, the honorable John Quincy Adams, is appointed to that station, if he makes the best advantage of his situation, it is more than probable that he may be the next president of the United States.

I shall seldom hereafter be able to write to you.

Please to pay my devoirs to your son, and accept my most sincere wishes for your health and happiness. I am your old friend,

THO'S McKEAN.

His Excellency JOHN ADAMS.

P. S. I have answered Mr. Ingersoll's request by a publication in the newspapers.*

Defeat of Sir Peter Parker.

Before I published the copy of the inscription on the monument of Sir *Peter Parker*,—page 245. I addressed a note to col. *Reed*, (a revolutionary soldier and late a senator of the United States) who opposed and defeated the baronet, requesting any particulars of the affair that he might be pleased to communicate in addition to those contained in his official letter to general Chambers. In a very polite letter just received from him, dated on the 3d inst. he apologizes for not answering my note sooner, and observes—

"It is to be regretted that on any occasion the friends of a gallant man should be so unmindful of what they owe to his memory and to truth, as to inscribe on his tombstone a palpable falsehood. That Sir Peter was a man of great gallantry there is no doubt; that he sought fame in every clime and bid fair to rival Nelson, is also true. It is not true that I had three times the number of the enemy's force—but it is certainly true that Sir Peter had at least double my force. It is not true that I was supported by cavalry—there was not one man or officer belonging to cavalry on the battle ground, or in the action, except captain Wilson." [He then proceeds to state various facts to shew that the enemy's force was double that of his own, on the testimony of an intelligent gentleman who was a prisoner on board the Menelaus, and dined every day with the officers, to whom they spoke freely of their object, force, &c. and who heard the roll called before and after the action, they apprehending no danger from him. "In a conversation," continues col. R. "between capt. Chambers and lieutenant Crease [of

* See page 278, present vol. W. R.

the Menelaus] the latter insisted that we must have had 500 men, and that we were covered by a masked battery—this monstrously magnifying vision of the lieutenant may account for the mistake inscribed on the tomb-stone as to numbers, cavalry, &c. A gentleman of intelligence, who was a morning or two after the affair taken from his habitation on the bay-shore by lieut. Crease and 200 men, stated that the enemy complained most vehemently of the effects of our buckshot—his information fully corroborates that before received, with the addition that the enemy had but thirty men who escaped unhurt, losing their weapons, &c.

"I will now observe, that Sir Peter came up the bay with a squadron consisting of the frigate, a large schooner and a sloop. The schooner was upset in a gale off Swan Point, crew saved except two. It is not likely that of this force he would have landed only 124 rank and file. We do know that while his squadron was in the waters of Sandy Point, he did cause Fort Madison to be reconnoitred, and that the night following he landed 300 men, got lost, was ashore the whole night, and only re-embarked at day-light—to this circumstance was the safety of Fort Madison, in all probability, owing. I wrote an account of this at the time. His landing on an unknown shore to attack a work he had little knowledge of, speaks for his character. Upon one of Sir Peter's people being asked, 'whether they did not consider the attack upon us as a hardy undertaking?' he replied, 'Sir Peter never stopped to calculate danger when he had an object in view—that he had frequently landed on the coasts of Europe, and surprized and carried the works of his enemies in that quarter, and that he was adored by his crew.' He calculated on surprizing and carrying my camp, and although but a handful, it covered at that time the country he was acting upon under the *burning* orders of admiral Cochrane. His command brought out one day's provisions and all the *prepared* materials for communicating *fire* to buildings, &c.—these were left on the field and picked up by our people, the neighbors. Had he succeeded, no doubt the adjacent country would have presented a widely spread scene of ruin. Chestertown (not Georgetown X Roads) was only seven miles distant and a fine road. Whether that was within his range I cannot tell, though my information justified the belief that it was."

"Difference of Opinion."

Among the ablest, neatest and most respectable weekly newspapers that we see, is the *Telescope*, published at Columbia, S. C. It is one of the few that we generally lay aside for a second looking-over; and in one of these we observe a well written article in reproof of such as are constantly clamoring about the "ingratitude of republics."—I never could see that a charge of ingratitude for services rendered belonged more to my country than to others, though it is not without sin in this respect. It is true, we have not the habit, and I hope never will, of building up the fortune of one man who happened to command, on the misery of tens of thousands of others commanded, that did their duty and fulfilled every obligation as well as he; as is the practice in monarchies, to bolster themselves—but there is a more general diffusion of *justice* in our public measures. Yet the editor of the *Telescope* believes that we have neglected the "great and good deceased," and quotes a couple of articles relating to Gen. GREENE and Dr. FRANKLIN. The just and full share of celebrity that belonged to the former was not, perhaps, rendered to him through the local situation and higher ground occupied by WASHINGTON; and of him it may be right that the marble should speak to our children. But let not the stone that covers FRANKLIN's ashes be touched!—nor permit the sublime simplicity of its inscription to be lost by the stateliest production of art. The world is filled with his name—*eripuit fulmen cælo, septrumque tyrannis;* he is every where known and revered; and forbid it that an idle gazing at his mausoleum should usurp the place of a solemn admiration of his various talents and services when near the spot where his ashes repose. The man "that has a soul" will be filled with stronger and more delightful emotions on looking at the plain slab that covers his remains, on which only appears

BENJAMIN } FRANKLIN,
DEBORAH }

than in beholding a column high enough to out-cap the pyramids of Egypt, the names of whose builders are lost; but that of FRANKLIN is immortal. Science and Philosophy have inscribed it in all their works—Liberty has proclaimed it to all nations, and History consigns it to the reverence of ages.

Political "differences of opinion."

The sentiments contained in the following extract of a letter to the editor from a gentleman of the bar in North-Carolina, are not less flattering to the one than honorable to the other.

"As you have given me an opportunity for writing to you, allow me as one of your readers, to thank you for the valuable information which your paper has afforded. You and I may not, perhaps, coincide in many of the doctrinal points of party politics; but, thank God, the time is going by when there is any necessity of recurring to these as tests of honesty and patriotism, or of considering them as the indispensible links of friendship and good neighborhood. For the good of our glorious forms of government, neither of us, probably, would wish to see the whole nation think alike, and follow, like mere automata, all sorts of public measures; but let us, if possible, make this necessary contest good natured, charitable and gentlemanly."

The Locust.

A respectable old gentleman, who has seen and observed the locust at the different periods of their appearance, as noted below, has favored the editor of the REGISTER with the following memoranda:

THE LOCUST APPEARED—

In 1749, in the month of May.

In 1766, they came out of the ground from the 14th to the 17th of May.

In 1783, they came out from the 16th to the 19th of May.

In 1800, from the 19th to the 26th of May.

In 1817, they did not appear until the beginning of June; it is supposed the cold and wet weather retarded their progress.

They continue from four to six weeks, and are harmless, except to young and tender fruit trees or the twigs of older trees, wherein the female deposits her eggs, which in a few days vivify, and the twig either breaks off, or the young locust emerges and falls to the ground, and makes its way into the earth, for another period of 17 years.

Domestic Manufactures.

FROM THE NEW-YORK EVENING POST, OF JUNE 14.

The American Society for the encouragement of American manufactures, met last evening, in the assembly room, at city hotel.—

Daniel D. Tomkins, president of the society, took the chair, supported by the vice-president, col. Few, and John Ferguson, esq. The society being organized, James Monroe, president of the United States, was proposed as a member, whereon, the presiding officer suggested that the usual form of ballot be dispensed with, and that James Monroe be received as a member; a motion to this effect was then made and carried unanimously—Messrs. Morris, Colden, and Peirson were appointed a committee to wait on the president of the United States, to inform him of his being elected, and to solicit the honor of his attendance at the meeting; to which he politely assented, and being inducted by the committee, took his seat on the right of the presiding officer, who immediately rose and in an extempore and eloquent address, assured his excellency, of the high sense entertained by the society, of the honor he conferred, by assenting to become one of its members, which created a confidence, that he would do all which he consistently could, to promote the views with which the society was instituted.

To which, his excellency replied, with much eloquence and force, that he duly appreciated the objects of the institution, which were particularly dear to him, from their being intimately connected with the *real* independence of our country, and closed, with an assurance that he would use his efforts as far as the general interest of the country would permit, to promote the patriotic and laudable objects of the society.

James Madison, Thomas Jefferson, and John Adams, were then separately proposed as members and admitted unanimously: the usual form of ballot being, on motion, dispensed with.

The corresponding committee offered the following report, with an address from the pen of C. D. Colden, esq. which were severally read—After which, the president of the United States withdrew, and the society adjourned.

REPORT

Of the corresponding committee of the society for the encouragement of domestic manufactures.

The corresponding committee, elected in persuance of the 3d article of the constitution, for the current year, respectfully report—

That immediately after the meeting of the society, held on the 31st of December, 1816, they took the speediest measures for carrying into effect the resolutions, respecting the printing and publishing the address then reported and adopted—They accordingly caused to be printed 5000 copies; one of which was transmitted to the president of the United States, and one to each of the members of congress and heads of departments of the general government, and to the governors and members of the legislators of the states respectively, as far as the same was practicable.

Your committee, in further pursuance of the duties delegated to them, caused a memorial to be drawn up on behalf of the society, addressed to the the congress of the United States, praying for the permanency of the duties imposed by the tariff; the prohibition of cotton goods, manufactured beyond the cape of Good Hope; such revision and modification of the revenue laws, as might prevent smuggling, false invocies, and other frauds; for a duty of 10 per cent. on auction sales, with the exceptions therein stated; for a recommendation to the officers of the army and navy, and to *all civil* officers, to be clothed in American fabrics; that all public supplies for the army and navy might be of American manufacture; and for such other protection as might place our mercantile and manufacturing interests beyond the reach of foreign influence.

It is with pleasure and gratitude your committee have learned, that the war department has given an entire preference to domestic manufacture, and as much is confidently hoped from the department of the navy.

Your committee elected a delegate to proceed with the same to the seat of government.

Memorials of similar import, were drawn up by the merchants of this city, and by the citizens at large, respectively; and another member of your committee was deputed by the merchants, who also appointed a citizen of New-York, then in the city of Washington, to co-operate with the delegates of this society, and cause the above named memorials to be laid before congress, with instructions to solicit and promote the objects of them, by their best endeavors.

The delegates, on their way to the seat of government, took occasion to explain to certain respectable and influential citizens of Philadelphia and Baltimore, the objects, views, and motives of this society and the nature of their mission; and had the satisfaction, during the short period of one day in each of these cities, to witness the formation of kindred associations, whose proceedings have been long since made public, and which by their intelligence, patriotism, capital and character, have proved an inappreciable acquisition to the cause of domestic industry.

During their residence in the city of Washington, the said delegates, with the aid and co-operation of their colleague, made a similar and no less successful appeal to the citizens of Washington, Georgetown, and Alexandria; who at a meeting convened by public notice, instituted and organized, an association, entitled the *Metropolitan Society*—the proceedings of *this* association have also been made public, and their zeal, influence and respectability, have done much in rousing the spirit of inquiry and promoting the true interests of their country.

The delegates were heard with much attention by the committee of commerce and manufactures of the house of representatives, to whom the above memorials were referred, and *that* committee reported *in part* by a bill, for the continuance of the existing duties upon importation as prayed; and referred the other matters more *immediately connected* with the *revenue* to the *secretary of the treasury*; whose opinions, we think ourselves *authorised* to state were in unison with the prayer of the memorialists.—And although the lateness of the session, and the mass of unfinished business, prevented the immediate attainment of the objects desired, yet the wisest and most experienced in and out of congress (the enlightened members of the committee of the house included) *were* of opinion, that nothing would be lost by the *delay*, as every day would offer *new* manifestations of the public sentiment, and the *circumstances* of the times be more *fully* developed, and operate as a law of necessity.

It may be important also to state the friendly intimation of the *committee* itself, that nothing would *more* conduce to *future* success, than an authentic collection of facts, tending to shew the value of the property embarked in domestic manufactures, the *great* portion of which was jeopardized by the causes set forth, and the *loss* and *irrepairable* injury

the community *must* suffer from neglect and indifference to so essential an interest. As *that* information could be best collected and embodied by the active industry of *this* and *other* societies, we mention it as an additional stimulus to exertion and efforts, well combined and vigorously sustained, and we trust that all citizens, who prize the lasting independence of their country, who rejoice in its general and individual prosperity, will take pride and pleasure in sharing so generous a task.

The two delegates who proceeded together from this city, were gratified, in returning through the town of Lancaster, in Pennsylvania, to witness the formation of an association of citizens, possessed of every qualification to be useful;—talent, influence, and capital. They were *there*, as on the former occasions, invited to explain the views and tendency of their mission, and had the pleasure to find the *principles* of this institution approved, adopted, and promptly acted upon by their respected fellow-citizens.

Numerous societies have cotemperaneously, and in rapid succession, arisen throughout the union; many have announced themselves by publications full of energy, and *marked* with intelligence. Regular communications have been transmitted to us from the societies of Wilmington, in the state of Delaware; Middletown, Hartford and Litchfield, in Connecticut; Rome and other places, in the state of New-York: and we have full authority to say, that Ohio, Kentucky, New-Jersey, Virginia and Mississippi, will soon add their strength and weight to the common stock.

The most eminent journalists, without regard to political or party relations, have lent their unbought talents: and essays have appeared in their columns, which would do honor to any country or to any cause. The periodical publications of most acknowledged merit, and extensive circulation, have likewise appropriated their labors to the service of their country, and as far as their sphere extended, have put prejudice to flight, and ignorance to shame.

A pamphlet has been compiled by a judicious and masterly hand in the city of Philadelphia, from the report of the celebrated Alexander Hamilton, made by that statesman in the year 1790, when secretary of the treasury, by order of the house of representatives: this paper has been eminently serviceable, inasmuch as it brings back the judgment of the reader, to the natural order of things, *before* the distorted and disjointed relations of the civilized world had *habituated* mankind to disturbed and crooked views, and fallacious reliances upon ephemeral hopes and transient speculations.—It establishes principles pure and unerring; and has the merit not only of sage predictions, but of prophecies fulfilled.

It is impossible to notice *all* the valuable tracts that patriotic excitement has given birth to, within the short period since *our* institution led the way—the address of the society of Middletown, in Connecticut, and the report of the committee of Pittsburgh, reprinted by order of the house of representatives, are documents deserving much attention; and it is to be wished, that a collection of the most of these valuable tracts, should be embodied and preserved—they are so *many pledges* to the public, of the *faith* and *loyalty* of the citizen.

The address of the society has been reprinted and circulated in such abundance, in so many different forms, and noticed with so *much* favor, that it is impossible to retire from the *front* of the battle, where we first appeared, without some loss of character. It is our turn *now*, to take the next step in the field of generous emulation, and we should meet, *more* than half way, every overture to correspondence and co-operation—We should acknowledge our obligations for the confidence reposed in us, and for the light and instruction reflected upon us.

So far your committee have traced their progress in the execution of their trust; so far, our bark has adventured with a favoring gale; for although we lament that some of our fabrics must suffer, within *this year*, irreparable loss; yet we trust, that the *certainty*, with which they may count upon the fostering care of the government, will in general restore courage, confidence, and credit, and enable the greater part to ride out the storm. The immense losses, at which our markets are glutted, cannot endure for many years, and little can *he* see, who does not read the rising prosperity of our manufactures, at no distant day, and *with* it, the power, happiness and security of this high favored land.

Your committee, considering the interests of commerce and manufactures as inseparable and identical, cannot close this report without noticing an evil which has grown to an alarming extent.

The present system of auction sales of recent date, in this country, and an anomaly in the history of commerce, has nearly exploded all regular business; and the auctioneer, whose office was formerly *subordinate* to that of the merchant, is now nearly the only seller; and *if subordinate to any*, merely to a foreign principle. If any sales are now made by the regular trader, they are occasional and supplementary.

Commercial education, orderly habits and sober pursuits, honor and good faith, too fatally yield to gambling speculations and fraudulent contrivances. The benefits, if any, that result from this extraordinary monopoly, are dearly paid for by the ruin of a class, whose industry was the life of the community and through them in a greater or less degree of the various and numerous descriptions of persons, who, without being commercial, depend upon commerce for their support—And if once the merchant disappears from the scene; if the source is once destroyed, the thousand channels which it fed become dry and fruitless, the proprietor, the mechanic, the artist, the laborer follow in the train, and must seek elsewhere for subsistence.

Already has the public feeling remonstrated against this abuse; but the practice has still prevailed. The established merchant it has been shewn, must ever be unable to compete with the stranger who is charged with no contribution to the public service, subjected to no rent or household expenditure, none of the costs or charges of a commercial establishment, nor taxes, nor impositions for the support of government.

Your committee therefore, refer this subject to the most serious attention of the society, that the most suitable means of investigation may be adopted to substantiate its truth and to procure relief.

ADDRESS.

All who believe that the happiness and independence of our country, are connected with the prosperity of our manufactures, must rejoice to see the *chief magistrate* of the nation honoring with his presence, a society instituted for their protection and encouragement. Knowing that the manufactures of the United States cannot in their *infant* state, resist the rivalship of foreign nations without the *patronage* of the government, it is consoling to find, that *he*, to whom the unanimous voice of a free

people has committed the highest office, has not only consented to become a *member* of our institution, but that he avails himself of the first opportunity, of giving it the countenance and support of his attendance.

An incident like this may form a new era in the history of society.—In other countries the influence of the magistrate is felt, *only* from the operation of his laws or through the instrumentality of his subordinate agents: while on the other hand, he derives his information through intermediate channels; but *our happy constitution*, places the people and their officers, in such relations to each other, that they may have a mutual and direct intercourse —and we now behold the first magistrate of a great nation, seeking at its source, the information which will enable him to know the *wants* and *wishes* of the country. A life devoted to the good of his country, gives us assurance, that it is only necessary to make him *acquainted* with what will promote its happiness, to insure *all* the support, which may be derived from his high station. It is now too late to question the advantages of manufactures; all history shews us how much they have contributed to the prosperity of every state, where they have been encouraged. Indeed, we find that in *some* instances, they have been the *sources* of all the wealth and power of a people. As they have *prospered* or *declined*, nations have *risen* or *sunk*. Even *wealth*, without manufactures and commerce, has only served to *degrade* a great community, by the introduction of *that* luxury, which was purchased with the produce of inexhaustible mines of gold. But it is not as they are *sources* of *wealth*, that an American must feel the deepest interest in the fate of our manufactures—they *more nearly* concern us, as they are connected with our *independence*. For how shall we avoid the *influence* of foreign nations, while we suffer ourselves to be *dependent* on them, not only for the *luxuries* but the *necessaries* of life! Can *that* nation feel independent, which has no reliance but upon *foreign* hands for the fabrics which are to clothe her citizens? For manufactured materials which are necessary for the construction of their dwellings and for the tools with which they are to cultivate their soil?

But *such* has been our situation, (unknown almost to ourselves,) until a jealousy of our prosperity *provoked* a war, which barred us from the workshops of England; and *then* we found we were in *some* measure obliged to rely on a *treasonable* trade, to clothe the armies, which met her in the field of battle. The very powder which generated the thunder of our cannon, was sometimes British manufacture, and the *striped-bunting* may often have been from the *same* loom with the *Cross of Saint George*, over which it so frequently waved in triumph.

Such a state of things, could not but awaken the spirit and enterprize of Americans. Amidst the agitations of war, while one part of the population was ranging itself under the military banners of our country, another devoted itself to her interest in *another* form. Manufactures arose as if by enchantment—on every stream she formed for herself spacious dwellings, and collected in them many thousands, who in no other way could contribute to the general weal. Those too young, or too old to bear arms, who had not strength for agricultural labors—the female whose domestic services could be dispensed with in her family, found *here* a means of individual gain, and of adding to the public prosperity. In a short three years, the produce of our looms rivalled foreign productions, and the nation with which we were contending, felt *more* alarm from the progress of our manufactures, than she did from the success of our arms. But peace came—while we were at war, the ware-houses of England were filled with the produce of the labor, which a loss of market had enabled her to purchase at a depreciated price. The moment intercourse between the two countries was opened, her hoarded stores were thrown upon us, and we were deluged with the manufactures which had been waiting the event. They could be sold without profit, because the foreign manufacturer thought himself fortunate, if he could realize the capital which he had been obliged to expend, to support his establishment while there was no sale for wares.

But he was content to bear a loss, because, in the words of an English statesman, "it was well worth while to incur a loss upon the first exportation, in order by the *glut*, to stifle in the cradle, those *rising* manufactures in the United States, which the war had forced into existence."—It would have been surprising indeed if our infant manufactures, the establishment of which, had generally exhausted the capitals of those who embarked in them, could have sustained themselves under such circumstances, without *any* aid or support from the government, without any means of countervailing the effects of the sacrifices which foreigners were willing to make for their destruction.—How were they to maintain themselves? It was impossible—many of them sunk—but we hope, to rise again. The attention of the government was too ardently directed, during the war, to *other* objects, to perceive the policy or necessity of *that* protection which the manufacturing interest did not *then* appear to want. But *now*, that peace will leave our legislators free to consider and provide for the *real* independence, and *permanent* prosperity of our country, now, when we have at the head of our administration, a citizen, whose presence here this evening assures us of the interest he takes in the objects of our institution, we may hope, that American manufactures will receive all the countenance and support that can be derived from the power of the government. Let that power be exerted only so far as to counteract the policy of foreign nations, and every American may be gratified in the pride of wearing the produce of the *American* soil, manufactured by *American* hands. *Again* shall the surplus population of our great cities, and the feeble powers of women and children, find *that* means of useful and profitable employment, which manufactures *alone* can afford them: *Again* shall the patriotic and enterprising capitalist find *advantage* in devoting his means and mind to objects *so* calculated to promote the prosperity and happiness of his country. And *again* shall foreign nations dread to see us rising to that *real* independence, which we never can in *truth* enjoy, while we depend upon any but ourselves for the *first* necessaries of life. The Society beg leave to testify to the chief magistrate of the nation, the high sense they entertain of the honor he has conferred upon them by his presence at this time, and sincerely participate in the feelings, which have been so universally manifested on his visit to our city, and most cordially tender him their best wishes for his health and happiness.

Legislature of New Hampshire.

AGRICULTURE AND MANUFACTURES.

In the house of representatives, June 26.

The committee to whom was referred so much of his excellency's message as relates to agriculture and domestic manufactures, made the following report:—

Your committee are deeply sensible that agriculture and domestic manufactures must be our permanent sources of wealth and prosperity; that a proper attention to, and encouragement of, these objects are the only possible means of turning the balance of trade in our favor, and securing to our citizens that independence so necessary to us as individuals or as members of the community.

Your committee would beg leave to remark, that while other sciences, and other arts, are receiving the most flattering encouragement, both by legislative patronage and individual bounty—we cannot indulge the mortifying reflection, that agriculture and domestic manufactures, so necessary to our existence as an independent nation, should be suffered to languish in obscurity, or be known only in habits sanctioned by tradition.

The greatest nations of antiquity have given honorable testimony of their veneration for agricultural pursuits, and their history furnishes the brightest examples of its importance to mankind.

And while the labor of some of the nations of Europe, in modern times, has been employed in raising their country from the domains of the ocean, and in others contending with obstacles which nature seems to have designed as insurmountable to cultivation; we cannot but congratulate our fellow-citizens on the fertility of our soil—the ease and readiness with which improvements may be made—the sure and happy rewards of industry, and the unbounded field which is here opened for the exercise of every agricultural experiment calculated to increase our knowledge, improve our wealth, and add to the stock of individual and social happiness.

In selecting the means most likely to produce the great and obvious benefits resulting from an attention to these objects, your committee would respectfully suggest—that the members of the legislature, in their private capacity, as citizens of the different sections of the state, can, undoubtedly, do much by their example and influence for the improvement of arts so important to our vital interests.

Your committee would further recommend, that societies for the promotion of agriculture and domestic manufactures be established in those counties of the state where such societies have not already been instituted; that correspondence be established between the societies of the several counties, and all proper exertions be made to collect and disseminate all useful information on the important subjects under their consideration.

And further that the sum of one hundred dollars be appropriated to the use of the "*Cheshire agricultural society*," for the purpose of enabling said society to grant premiums for the best productions either of stock, grain, or such other articles as may be thought expedient; and that said society be requested to include the subject of domestic manufactures with the objects of their association. And that a society in each of the other counties in the state, which is, or may be established for the above purposes, receive from the treasury of this state the like sum of one hundred dollars, on application, after being duly organized as aforesaid.

Respectfully submitted by
JOHN BROADHEAD,
For the committee.

Which report was accepted. [In senate, same day, read and concurred.]

The President's Tour.

Our regular account of the president's tour (page 282) left him on his arrival at New Haven. The following is an account of subsequent proceedings.

On the 21st of June he reviewed the troops at New Haven, and received due military honors. In the afternoon he was visited by all the surviving revolutionary officers resident in that city, *eighteen* in number, and by the distinguished citizens generally—after dinner, accompanied by gov. Wolcott, the lieut. governor &c. he visited the places about the town deemed worthy of note. On Sunday he attended divine service and in "the evening, the committee, in the name of their fellow citizens, took leave of his excellency in a short address, expressing the high sense which they entertained of his visit with their sincere wishes for his individual prosperity, and his successful administration in his exalted station. The address was reciprocated in a manner honorably to the president and highly gratifying to the committee."

In his visit to New Haven he seems to have won the hearts of the people—the editor of the *Herald*, in an account of it, says—"The *dress* of the president has been deservedly noticed in other papers for its neatness and republican simplicity. He wore a plain blue coat, a buff under dress, and a hat and cockade of the revolutionary fashion. It comported with his rank, was adapted to the occasion, well calculated to excite in the minds of the people, the remembrance of the day which "tried men's souls." It was not the sound of artillery, the ringing of bells, nor the splendid processions alone from which we are to judge of the feelings and sentiments of the people on this occasion—It was the general spirit of hilarity which appeared to manifest itself in every countenance, that evinced the pride and satisfaction with which the Americans paid the *voluntary* tribute of respect to the ruler of their own choice—to the magistrate of their own creation. The demon of party for a time departed, and gave place for a general burst of NATIONAL FEELING."

He reached *Middletown* on Monday, at 9 o'clock, A. M. escorted by a company of cavalry, and breakfasted—after which he viewed the pistol, sword and rifle manufactories there, and proceeded to Weathersfield, where he was met by the military from *Hartford*, &c. and received with a national salute, and introduced into the place by a very great assemblage of citizens and soldiers, who escorted him over the bridge, which was elegantly ornamented with three lofty arches thrown over it, composed of evergreen and laurel—from the central one was suspended a label—"March 4, 1817."

The members of the corporation of the city visited the president immediately after he had arrived at his lodgings; and (in the absence of the mayor) John Morgan, esq. senior alderman, delivered the following address; to which the president gave "an appropriate extemporaneous answer."

To the President of the United States.

Sir—The pleasing duty has devolved on us of presenting you the congratulations of the citizens of Hartford, on your arrival in this city. It is with sentiments of regard for private worth, no less than respect for official dignity, that the personal presence of the first magistrate of our nation is associated.

The endearing relation which subsists between the people of a free country, and their political father and guide, is peculiarly fitted to cherish and ennoble these sentiments.

It is no less our happiness, sir, than yours, that your administration has commenced at a period gilded by the recent exploits of our army and navy, and at the same time enjoying the tranquility and security of peace: when full scope is given to the enterprize, industry and skill of our citizens, in the employments of agriculture and manufactures—when the pursuit of science, and the cultivation of the arts of civilized life, are encouraged by their appropriate rewards: and when the spirit of party, with its concomitant jealousies and misrepresentations, no longer "render alien to each other, those who ought to be bound together by fraternal affection." We anticipate in your administration, commencing under such auspices, and blessed with the smiles of HIM, "whose dominion is an everlasting dominion," a period of glory to our country and of honor to yourself.

The state of Connecticut, as she was among the first to adopt the constitution of the United States, so will she always be among its most firm and zealous supporters.

The people of this state, while they cherish a high spirit of freedom, are from the force of our institutions and habits, distinguished also for their love of order and submission to the laws.—In pursuing a policy, which, as we confidently expect, will give the best effect to the principles of our government; establish commerce upon a permanent basis; render us strong and independent; confer on us a distinct and elevated national character; and secure to our country those high advantages, which seem destined for her by Providence—you may be assured of a hearty support.

May Heaven grant, sir, that your life may be long and happy; and that the freedom and independence of our country may be perpetual.

JOHN MORGAN.

In behalf of the mayor, aldermen, common council and freemen of the city of Hartford.

Hartford, June 23, 1817.

To which the president made the following reply:

To the Mayor, Aldermen and Common Council of the city of Hartford.

"Fellow-Citizens.—I beg you to accept my grateful acknowledgments for the favorable sentiments which you have expressed towards me, and the kind and friendly manner in which you have received me. No one can take more interest than I do, in the present prosperous and happy condition of our country. Having witnessed two wars, attended with eminent distress, and which made a severe trial of our institutions, I see, with the most heartfelt satisfaction, the happy consequences attending our exertions, and which you have so justly described in the review you have taken of them. Blessed with peace; agriculture, the arts, and commerce flourishing; jealousies subsiding, and our bond of union daily gaining strength, our situation is peculiarly happy, and the prospect of its long continuance the most flattering.—In a state where the arts and sciences are so happily cultivated, and which has evinced so strong an attachment to the cause of liberty, full confidence is entertained, that it will always be found among the most zealous supporters of that cause, and of our most excellent constitution."

When the ceremony of receiving the corporation had closed, the president and suit reviewed the troops, and visited *the American Asylum for the Deaf and Dumb.*

From Hartford he proceeded to *Springfield,* Mass. and arrived in the town escorted by 60 gentlemen on horseback, being met by an artillery company who saluted him, &c. Here he received a brief but handsome address from a committee of the citizens. After which he inspected the public works of the United States. On his return to the inn, 410 children assembled from the several schools in the village, passed in procession before the door of the inn at which the president was standing to view them as they were passing. One of the committee said to the president, "We here present to your excellency the hopes of our country, and we are endeavoring to train them up in the nurture and admonition of the Lord, and in the pure priuciples of republican government,"—to which the president replied—"I am much pleased and gratified with their appearance, and I pray God to bless them and you, and carry your good design into effect."

After dining, the president left town, about four o'clock, P. M. on his way to New-London, escorted by about forty gentlemen, on horseback.

At *New-London,* the president was handsomely received by the corporation and people; the former addressed him, to which he made a suitable reply, [we have not received a copy of the address]. After the ceremonies were over, he proceeded to business, visited the forts, examined the river Thames for several miles upwards, and embarked on board the U. S. brig Enterprize, under salutes from the forts and shipping, for Gardiner's Bay—from thence he proceeded to the famous town of Stonnington, where he was saluted from the two 18 pounders that so galled and mauled the enemy in the late war.

On the 30th of June he reached *Newport,* R. I. in the cutter Vigilant, from Stonnington. The bells were rung and salutes fired from Forts Wolcott and Adams, on board the cutters, and by detachments of artillery of the town. He was received with great attention and respect; and proceeded to examine the forts and the surrounding country, accompanied by governor Knight, col. Towson, &c. &c. On Sunday morning and evening he attended divine service—and on Monday, accompanied as before, proceeded to Bristol and Providence.

At *Bristol,* he stopped at the splendid mansion of *George D' Wolf,* and partook of refreshments "in a style and manner worthy the occasion." The entrance of Mr. D'Wolf's house was strewed with roses, and the ladies showered them before and upon the president on his departure. He reached *Providence* late in the evening, in the steam-boat; and was received by the committee of arrangement, the military, &c. with salutes of artillery, &c. &c. and amidst the cheers of the people. An address was presented to him, but we have no copy of it or it should have a place here.

The next morning he received all that wished to be presented to him, and then proceeded to view the town, and visit the neighboring cotton mills, &c. At Pawtucket he was shewn the first frame upon the Arkwright plan put in operation in this country; it has been running 27 years, and was erected by Mr. Slater, the present owner of the establishment. After which he took a polite leave of his Rhode Island friends, and passed into Massachusetts.

We have already mentioned that much preparation was made to receive the president at Boston. His expected visit had been a subject of legislative discussion and provision, and the manner of his entry was laid down at a town meeting with the greatest nicety and precision. We thought first of detailing all those things at length; but, really, they are not worth the room they would occupy.

On his arrival at Dedham, he was waited upon by one of the governor's aids to bid him welcome to Massachusetts, and request him to accept of an escort, &c. Just after this he reviewed a regiment of militia—on arriving at Roxbury he was saluted with a discharge of artillery, at different posts, and soon after by the guns of Fort Independence. At Boston-neck he was met by the municipal authority, the grand committee of superintendance, squadrons of cavalry, and a large body of citizens on horseback and in carriages, who formed a cavalcade according to previous arrangement, under the direction of marshals appointed for the occasion—cannon were firing during the whole time of the procession, at various points. The streets were immensely crowded—and the houses so filled that, as the *Boston Gazette* says—

"You would have thought the very windows mov'd,
To see him as he pass'd, so many, young and old,
Through casements darted their desiring eyes."

Shortly after his arrival at his lodgings, the address given below was delivered. At 5 o'clock he dined in company with president Adams, governor Brooks, the lieut. governor, major-gen. Dearborn, com. Bainbridge, general Miller, captains Hull and Perry, and a crowd of judges, &c &c.

To the President of the United States.

SIR—The citizens of Boston, by their committee appointed for that purpose, beg leave to offer you their cordial and respectful salutations, upon your arrival in this metropolis.

The visit, with which you are pleased to honor them, recalls to the recollection of many their interview with your illustrious predecessor, the father of his country, on a similar occasion. They remember with great satisfaction, the hope, the confidence and the fond anticipation of national prosperity which his presence inspired; and it is now, sir, a subject of congratulation to you and themselves, that after thirty years of eventful experiment, during conflicts and revolutions, in the old world, which have threatened all, and subverted many of its ancient governments, the constitution which was adopted under the auspices of that great man, has acquired vigor and maturity; and that in a season of profound peace, his successor is permitted, by the prosperous state of public affairs, to follow his example, in visiting the extensive country, over which he has recently been called to preside.

While this journey affords to many of your fellow citizens the opportunity and advantage of commencing with you a personal acquaintance, which is always desirable between a people and their rulers, they rejoice at the same time in the belief, that the local information relative to the great and various interests of the United States, which you will derive from actual observation, will facilitate your arrangements for their defence and security; and enable you to apply in practice, with additional confidence and success, those principles of an elevated and impartial policy, which you have been pleased to promulgate, as the basis of your intended administration.

Called to the service of your country at an early period of life, and distinguished in the arduous struggle which obtained its independence; your subsequent occupations, in successive important offices and various departments, at home and abroad, have afforded you the means of becoming conversant with the foreign and domestic relations of the nation; and with these qualifications, you are now raised to the highest dignity which can be conferred by a free people.

These public claims to consideration and attention, from all descriptions of your fellow-citizens, are cheerfully admitted by the citizens of Boston; who are also desirous of evincing their respect for the unblemished tenor of your private character, and their sense of the urbanity and hospitality which peculiarly characterized your deportment towards all those of your countrymen, who, during the period of your foreign embassies, were so fortunate as to come within the sphere of your civilities and protection.

It is, therefore, with real satisfaction, that they receive you within the precincts of Boston; and they pray you to be assured of their earnest solicitude to contribute by all the means at their command, to your comfort and enjoyment during your residence in this town.

They also, confiding in the rectitude of your intentions, and trusting that the powers vested in you by the constitution, will be exercised with a sincere regard to the welfare of the people, whose precious interests are committed to your charge; avail themselves of this occasion to express their ardent hope that, the favorable circumstances which attend the commencement of your administration, may with the blessing of Heaven, under your guidance, concur to promote the advancemnent of our beloved country, to the highest possible condition of prosperity.

With these sentiments, they unite their best wishes, for your health and happiness; and that the course and close of your administration may entitle you to the gratitude and affections of your constituents, and the respect of posterity.

By order of the committee,

CHARLES BULFINCH, *Chairman.*

—

The President's Answer.

FELLOW-CITIZENS—The kind reception which you have given me on the part of the citizens of Boston, and which their conduct has fully confirmed, has made a deep and lasting impression on my mind, which you will have the goodness to communicate to them.

As no person is more willing than I am, in the discharge of my duty, according to the fair exercise of my judgment, to take example from the conduct of the distinguished men who have preceded me, in this high trust, it is particularly gratifying to me, to have recalled, by this incident, to the memory of many who are now present, a like visit, from the illustrious commander of our revolutionary army, who by many other important services, had so just a claim to the revered title of Father of his country.

It was natural, that the presence of a citizen, so respected and beloved, who had so eminently contributed to the establishment of this government, and to who its administration, in the commencement had been committed, should inspire an enlightened, a virtuous and free people, with unlimited confidence in its success; and it is a cause of general felicitation and joy to us all, to find, that thirty years successful experiment, have justified that confidence, and realized our most sanguine hopes in its favor. Yes, fellow citizens, we instituted a government for the benefit of all; a government which should secure to us the full enjoyment of our rights, religious and civil, and it has been so administered. Let us, then, unite, in grateful acknowledgements, to the Supreme Author of all our good, for extending to us so great a

blessing. Let us unite in fervent prayers that He will be graciously pleased to continue that blessing, to us, and to our latest posterity.

I accepted the trust, to which I have been called by my fellow-citizens, with diffidence, because I well knew the frailty of human nature, and had often experienced my own deficiencies. I undertook this tour, with a view, and in the hope, of acquiring knowledge, which might enable me to discharge my various and important duties, with greater advantage to my country, to which my whole mind and unwearied efforts shall always be directed. In pursuing objects so dear to us all, I rely with confidence on the firm and generous support of my fellow-citizens throughout our happy union.

JAMES MONROE.

It is thought that 40 or 50,000 persons were engaged in welcoming the president to Boston—among the rest were about 4000 children neatly dressed, and in a body, under charge of their preceptors, &c. They attracted the notice of Mr. Monroe, and beauty did all that it could (and how powerful is it!) to render the scene interesting. "The *representative* of eight millions of people" was received as kings never can be.

Early the next morning the president viewed the town and its environs—he breakfasted with the "hero of Brownstown," gen. *Miller*, distinguished, also, by all that valor could do, on the Niagara, and at 8 o'clock embarked in one of the barges of the Independence 74, to view the works at Forts Independence and Warren, accompanied by a splendid suit—soldiers of other years and the glory of the present times. The due salutes, &c. were fired. He returned at two o'clock and dined with gov. *Brooks*, at Medford. In the evening he visited the amphitheatre at Charlestown, welcomed by the cheers of the men and the waving of the handkerchiefs of the ladies. On the 4th of July he examined several specimens of inventions in the arts, and breakfasted with the conqueror of the *Java*, Bainbridge—then viewed many factories in the neighborhood, called upon Mr. Gore, went to the arsenal, and returned at noon.

On his return, the Cincinnati of Massachusetts were presented to him; when col. *Tudor*, vice-president of the society (the president, gov. *Brooks*, being on other public duty) presented to him the following address:

"*To James Monroe, President of the United States.*

SIR—Whilst meeting you as one of our most distinguished brothers, permit us especially to thank you for furnishing an opportunity of saluting another chief magistrate of the United States taken from our ranks; and to offer you all the assurances of respect and affection which it becomes a society like ours to present, and which we pray you to accept as flowing from hearts first united by the powerful sympathies of common toils and dangers.

Although time is fast reducing our original associates, we trust that whilst one remains, he will never desert the sacred standard of freedom and his country, or our sons forget the sacred duties their sires had sworn to discharge. We fought to obtain security, self-government and political happiness, and the man who can approve both the principles and the means, can never be indifferent to the social designs which such a warfare contemplated, for among those purposes were included the restoration of good humor, good manners, good neighborhood, political integrity, with a spirit of mild and manly patriotism.

We congratulate you as the highest representative of our beloved country, that party animosities has, on all sides, so far subsided before the day-star of sound national policy; and we look with confidence to a wise and liberal administration of the presidency to produce its termination.

And now, sir, in bidding you a long farewel, for from our lessening numbers such another occasion can scarcely again occur, we join our best wishes, that when you shall seek a retreat from the honorable fatigues of public energies, in which so large a portion of your life has been employed, that your retirement may be accompanied by the applause of the wise, and the concurrent blessings of a prosperous and united republican empire."

To this address the president made a very affectionate and fraternal verbal reply; in which he recognized the services and sacrifices of the defenders of the independence of our country, and intimated that at a future time he would give them an answer in writing.

General *Dearborn*, and a committee, presented an address of the minority of the legislature to the president; to which also the president replied.

In the afternoon, the president visited the elegant and complete military armouries in *Faneuil Hall*, and testified much satisfaction at their condition and completeness.

He afterwards dined with his brethren, the Cincinnati, in Concert Hall.

At the dinner, which was prepared in great style, the following among other toasts were given:

By the governor—The day, and the recollections of the event and characters which this anniversary recalls—uniting all hearts.

By the president of the United States—The commonwealth of *Massachusetts*—Whose sons so eminently contributed to the independence we this day celebrate.

By the lieutenant-governor—The heroes of the revolution—Their services claim and will receive the grateful acknowledgments of succeeding generations.

On the president's retiring the governor gave—

THE PRESIDENT OF THE UNITED STATES.

[*Nine cheers.*]

When the governor retired, his honor the lieut. governor gave—The governor of our commonwealth

[*Nine cheers.*]

Foreign Articles.

ENGLAND, &c.

The poor taxes for England and Wales, amounted to *eight millions* sterling (35,520,000 dollars)—and the hospitals, work houses &c. to the sum of *six millions* more—together $62,160,000—an amount fully twice as large as we expend, (including the interest and payments on account of the principal of our debts) to support our national and state governments, including county rates for maintaining the poor, making roads, &c. &c.—annually.

American 6 per cent. stocks at London, May 13, 104. British 3 per cents. 72¾.

The names of some persons arrested for high treason, are given in the British papers.

Arrests of persons suspected of being suspicious continue in England. Some of the "state prisoners" are about to be tried.

Sidmouth's circular to the magistrates of England has again been the subject of an animated *debate* in parliament, and that's all. The majority look as much to the nod of the minister as the drummer to the drum-major's cane, and obey it as quickly.

The wretched people of many districts in the counties of Sutherland, Caithness, Ross and Inver-

ness, in Scotland, derive "a principle part of their subsistence from bleeding their cattle and boiling the blood into puddings!"

Several frigates, for a purpose not stated, are ordered to be fitted and manned.

A large fleet appears to be fitting out in England. The report is that the tyrant, the ungrateful, Ferdinand, has *purchased* the liberty-loving prince regent and his ministers, to kill off as many as may be needful of the South Americans to reduce the rest to obedience. This is Italian murder on a large scale. May every man they send out for *this* purpose, die in agonies the moment he breathes the air of America: "*Perish the invaders.*"

We have a correspondence between sir Richard Phillips, publisher of the *Monthly Magazine*, and earl Bathurst, relative to Bonaparte's writings. The former, having understood that the late emperor was engaged in writing the memoirs of his own life, asks leave, as a mere matter of business, to open a correspondence with him, through the department of state, to publish them—which the other "declines" to grant or otherwise permit.

The following is the state of the woolen manufactory in Yorkshire, for 1816, as returned at Pontefract Easter sessions, 1817; narrow cloths milled, 3,650,669 yards being 2,990,190 yards less than in 1815; broad cloths milled, 10,135,285 yards; being 259,171 yds. less than in 1815.

The plan of ministers to reduce the interest of money in the funds, is said to be, for every 100*l.* 5 per cent. to give one hundred consols, at 72*l.* and 28*l.* in money; but if the parties object to receive the 28*l.* in money, they may have an annuity of 2*l.* per annum for life in lieu of it, sinking the capital of 28*l.* which will be 3*l.* in consols and 2*l.* annuity, making 5*l.* per cent. during his life. The ministers calculate by this arrangement a saving of above a million and a quarter to the public annually.

The army estimates for the current year, were proposed in the house of commons on the 12th, by lord Palmerson. The proposed reduction, in point of numbers, during the current year, amounts to 55,300 men; and the estimate of the army expences this year is 1,800,000 less than the estimate of the last year.

Several *lead* miners with their families have left England for Canada. We may expect soon to hear of them in Missouri.

"Scarcely the hundredth part of an inch of rain," that could be measured, fell in England in the month of April.

The British ministry, to reward Mr. Canning for his "*adhesion*," made him ambassador to Portugal, where there was no court, with a salary, &c. of 18,380*l.* sterling *per annum*. The purchase of his services has just been severely reprehended in parliament.

A fellow lately sold his wife at *public auction*, in the market place, at Preston, for the sum of *two pence*.

The *Catholic question* is again before parliament. The bill was read the second time, but the first clause, to admit Catholics into parliament, "on certain conditions," was lost. It is altogether nonsense. The government priests will shake the throne, if it passes, more severely than the prostrate Catholics can do, if they remain as they are.

From the British navy list for March, 1817.—*Widows' pensions*—Of a flag officer, per annum 129*l.*; admirals, 100; post captains, 80 a 90; commanders, 70; do. superan. 60; lieutenants, 50; master, 40; surgeon, 40; purser, 30; gunner, 25, boatswain, 25; carpenters, 25; second masters, &c. 25, Widows of a col. of marines, 90; lieut. col. 70; major 60; captains, 55; 1st lieut. 40; 2d do. 36.

The board of admiralty intends to allow 68 senior commanders of the royal navy to retire with the rank of post captain. [It is curious to contrast the amount of these pensions with those of the pimps and panders of the court; where one great villain swallows up more of the public money than is allowed to the widows of 2 or 300 gallant men.]

Refinement. A man was lately killed in one of the boxing matches that the "nobility gentry and clergy" of England get up to amuse themselves. The story of his death is told in all the pomp, or slang, of the "science"

Power of Beauty.—The neighbourhood of Bethnal Green (says a London paper) has been thrown into confusion by what does not now, for the first time, disturb men's minds—*female beauty.* A young widow has, it seems, taken a public house there, which, before her fortunate entrance into it, had been deserted. By the attraction of her beauty she fills it from morning to night; and such is the discontent of those who are unable from their numbers to obtain admittance, that tumults have occurred in the street where she lives, and constables are stationed in it. This is stated to us a literal fact. Her age is about 27, and her beauty, it is said, deserves all its fame. The other publicans in the neighbourhood would be ruined, if it were not that the overflowing of her house fills their benches. Thus London has its humble imitation of the *Venus des mille colonnes*, at Paris.

Execution—Saturday last, *Allen*, a considerable farmer in Cheshire, who was convicted at the last Chester Assizes of issuing forged bank notes, suffered the sentence of the law. He met his death with extraordinary fortitude, but his sufferings seemed long continued, the muscular motion being terribly exerted for more than ten minutes. A great number of friends, his wife and eight children attended, and took the body for interment at Waverham. During the awful solemnity of fixing the rope round the neck of the unfortunate culprit, three pick pockets were detected in the execution of their profession, *directly under the drop.*—So much for example. [*London paper, May* 12.

FRANCE.

The town of Mayence has suffered so much by enormous military exactions, and lodgment of troops, that out of 24,000 inhabitants, 8,000 are now paupers.

The middle and southern parts of France are suffering much for want of rain—for which public prayers are offering up.

The king, on the anniversary of his return to Paris, (May 3) showed himself to the people in an open carriage, accompanied by Oudinot, duke of Reggio.

Some arrests of suspected persons are still making in France.

The following are published as extracts of a letter from Mad. Regnault de St. Jean D'Angely to her husband, said to have been seized on the person of a Mr. Robert, who was about to embark for the United States:

"*My Dear Friend*—It is impossible that these miserable people can continue to exist. A revolution is inevitable. It will be terrible, but it will lead to good; and we must resign ourselves to the most painful operations for the recovery of health. Do not believe that my partiality misleads me. It is easy to see that I do not deceive myself. Ask M. de Robert; he will tell that if he could have anticipated the effect of Germanicus, we should

perhaps have been delivered from these odious wretches. It will require no very great effort to overturn them, and they feel it. If they thought themselves strong, this week would have undeceived them.

Government is obliged to change the system of mildness which it has adopted and pursued for the last six months. It is by that they expected to lull us asleep, and many persons have said that they would do so; but things are not so bad. Those men are our executioners. They are the destroyers of our honor, of our glory, of our laurels, of our industry. No possible reconciliation can take place between them and France; and every body must suffer, because every body is hostile to them.

And that man whom we have lost by our own fault, and given up to our most cruel enemies who have him in their power! All my strength, all my courage fails me in this reflection, at once so painful and so humiliating. He left us his son, and he knows that that son is the only true king of France. But he will deliver his father; our honor depends on it. How all those people, already so contemptible, will sink before the Colossus! do not believe that I am credulous, my dear friend. It is the sole occupation of my thoughts! but it is that of many others, who are perhaps more active. I will tell you no more; but believe me we are approaching a a most happy crisis. Return quickly, that you may judge more nearly."

A Paris paper of May 6, says.—Twenty-two French prisoners, soldiers of the ex-guard, have passed by Anvers on the 26th ult. They came from the farthest part of Siberia, and state that there are yet many Frenchmen who are now on their return to their native land. This affords some ground for hope, for many families, who have lost individual branches, that they may still be restored to them.

BONAPARTE.

There is an idle report about the liberation of Napoleon, by the British, and of his sailing from St. Helena for Malta.

ITALY.

The pope is said to be very ill. The frequent arrival of couriers at Rome give rise to conjectures that something important is in agitation.

The revenue of the pope, before the revolution, amounted to about nine millions of crowns—at present it is only about three, and the public debt amounts to 120 millions.

There is a report that the emperor of Austria has taken possession of Rome—probably to pay himself.

An article from Rome, published in a London paper, says—"We are assured that the prince regent (of England) and the emperor of Russia have made known to his holiness their desire of concurring with him *in extending the empire of our holy religion.* It is believed that his holiness, in virtue of an article in the treaty of holy alliance, will be restored to the possession of various donations which belonged to the holy see in different countries. It is certain that under Christian princes, the work of religion cannot be abandoned to chance"!!!

GERMANY.

Some political disturbances have occurred in Wirtemburg. The diet of Frankfort has resumed its sittings.

The son of Napoleon has received of his grandfather, the emperor of Austria, the regiment that became vacant on the death of general Lindenau.

NETHERLANDS.

London, May 12. A Flanders mail arrived last night, but the only article deserving notice (and that on account of its impudence) is the substance of a memorial presented to the king by some of the Catholic bishops, against the regulations issued by authority of government, for conducting education in the universities. These memorialits have the arrogance still to maintain that the interest of the state and of the church (meaning themselves) are the same, and require the application of the same principles!

SWITZERLAND.

A London paper of the 8th of May says—The accounts from Switzerland continue to be of the most distressing nature. In the eastern cantons there is almost a famine. Zurich is endeavoring to get corn from Genoa and Venice—Uri from Italy; Fribourg has adopted severe measures against forestallers and regraters; Basle has prohibited the making of white bread; Zug has prohibited the exportation of butter, and Schwitz the exportation of hay. Under these circumstances, emigration assumes a more alarming activity.

SWEDEN AND DENMARK,

It is reported, have very serious differences. The latter has been much abused, and we wish she had the power to right herself—and especially of regaining Norway, which the "legitimates" despoiled her of.

ASIA.

The British are building 2 ships of the line, and 2 *frigates* to carry 64 guns each, at Bombay.

AFRICA.

We yesterday received (says the New-York Gazette) a Gibraltar paper of the 10th of May, in which it is asserted, that the Tunisian Bashaw has been notified, by capt Forrest of the British frigate Astre, in the name of the prince regent, that he may go to war with whomsoever he may think proper, provided he comply with the article relative to the abolition of slavery.

FLORIDA.

It is now stated that Amelia island was *to be* taken possession of by Sir Gregor Mc Gregor, on the 2nd inst. The Spanish force there does not exceed 50 men. ☞Later accounts assure us that it *is* taken. It will be very advantageous to the patriots.

"SPANISH" AMERICA.

The following is given as the probable population of what used to be known by the general name of Spanish America:

	South.	
New-Grenada and Venezuela	3,500,000	persons.
Peru,	1,700,000	
Buenos Ayres and Chili,	3,800,000	
		9,000,000
	North.	
Mexico,	3,000,000	
New-Mexico,	800,000	
Yucatan.	1,600,000	
Guatimala,	1,800,000	
Florida,	10,000	
		8,010,000
Total population		17,010,000

It is intimated that the British have a powerful ascendancy with the present revolutionary government of Buenos Ayres. If so—*it is all over with them, unless the faction is destroyed.*

The touch of Britain, sure as the lightning blasts the tree that it strikes, destroys that of liberty.

"It is asserted," observes the *Baltimore Patriot*, "on good authority, that the government of Great Britain have become possessed of an extensive tract of land on the river La Plata; which they have fortified at great labor and expence; that their property at that place amounts to the enormous sum

of *eighty millions of dollars;* and that their agents and subtle tools are dispersed throughout Peru, Chili, Paraguay, &c. Large sums have also been expended in erecting splendid buildings at Buenos Ayres; and every precaution has been taken by these emissaries, not only to *purchase* the compliance of the supreme director with their views, but to conciliate the favor of the members of the executive junta, by frequent entertainments, and other insidious means.

BRITISH AMERICA.

From the Montreal Herald.—Although the Gazette published at Sacketts-Harbour, does not notice the fact, it is nevertheless true, that governor Gore, on his way to England, was saluted from the guns of the fort on his arrival at the harbor. Such marks of respect, always deserve notice in public prints, as they tend to conciliate passions and to secure a reciprocity of favorable sentiments.

Buffalo, July 1.—All the British government vessels on lakes Erie and Ontario are ordered to be scuttled and sunk, and their crews to return to England. There will also, it is said, be but one regiment of troops stationed at all the posts above Kingston. These measures, it is presumed, result from the general system of retrenchment of governmental expences, which the ministry have been compelled by the ceaseless clamors of the people to adopt, and not from any new expedition on foot, or meditated danger from any other quarter than at home.

CHRONICLE.

John Quincy Adams is coming home in the ship Washington, for New-York.

The Susquehannah. The transport of produce on this noble river is vastly increased every year. From the 29th of March last, when the boat navigation commenced, to the 26th of June, ult. there passed into the canal that runs through the town of York-Haven, 261 boats, whose cargoes, in part, consisted of 94,500 bush. wheat, some rye, corn, buckwheat, oats, flaxseed, and cloverseed, 8320 bbls flour: 474 do. whiskey, with some pork, butter, iron, leather, &c. making an aggregate value of $340,000: which is supposed to be only about *one fifth* of the value of the produce that was floated down the bed of the river in the same time. The boats return laden with other sorts of merchandize suited to the wants of the rich and extensive country that is watered by this stream

The Red River.—A letter from Natchitoches describes the Red River as one of the most remarkable the writer had ever known. In ascending it, in December last, during a rain of 31 hours, the river rose 31 feet. For 500 miles above Natchitoches it is narrow and deep, above that distance it is wider and more shallow.

The 4th of July was to be celebrated, at Argyle, Washington county, N Y. by the opening of a *subterraneous canal,* of 400 feet, dug through a hill, and of the average of 30 feet below the surface.

A meeting was to be held at Warren, in the state of Ohio, on the same day, to take into consideration the propriety of petitioning the legislature of that state on the subject of opening and connecting the navigable waters of Lake Erie with those of the river Ohio. This may easily be done.

The anniversary of American independence has been duly observed in all parts of the United States so far as we have heard, by military processions, civic feasts, &c. So let it be, until the sun "grows dim with age, and nature sinks in years."

The British are making great exertions to promote and encourage emigrations to Canada—affording all the facilities in their power.

De Witt Clinton, Esq. as governor, and *John Tayler,* Esq. as lieutenant-governor of the state of New-York, took the oaths of office and entered upon their respective duties, on the 1st inst.

Mr. *Storer,* rep. has been elected a senator of the United States from New-Hampshire, vice Mr. Mason, fed. resigned.

The U. S. brig of war *Saranac,* capt. Elton, under sailing orders, on the 2nd inst. at 1 P. M. in coming out from the navy-yard, New-York, the wind being light from the N. W. went ashore on the rocks between the navy-yard and Jackson's stores, and on the falling of the tide bilged and filled with water. Her guns and stores were immediately got out, and the vessel stripped. She has been got off the rocks with the assistance of lighters. Damages not very important.

DIVISION ORDER.

ADJUTANT-GENERAL'S OFFICE,
H. Q. Division of the South,
Nashville, April 22, 1817.

The commanding general considers it due to the principles of subordination, which ought and must exist in an army, to prohibit the disobedience of any order emanating from the department of war, to officers of this division, who have reported and been assigned to duty, unless coming through him as the proper organ of communication. The object of this order is to prevent the recurrence of a circumstance which removed an important officer from the division without the knowledge of the commanding general, and indeed when he supposed that officer engaged in his official duties, and anticipated hourly the receipt of his official reports on a subject of great importance to his command; also to prevent the topographical reports from being made public through the medium of the newspapers, as was done in the case alluded to, thereby enabling the enemy to obtain the benefit of all our topographical researches as soon as the general commanding, who is responsible for the division. Superior officers having commands assigned them are held responsible to the government for the character and conduct of that command; and it might as well be justified in an officer senior in command to give orders to a *guard* on duty, without passing that order through the officer of that guard, as that the department of war should countermand the arrangements of commanding generals without giving their order through the proper channel. To acquiesce in such a course, would be a tame surrender of military rights and etiquette; and at once subvert the established principles of subordination and good order. Obedience to the lawful commands of superior officers is constitutionally and morally required: but there is a chain of communication that binds the military compact, which if broken opens the door to disobedience and disrespect, and gives loose to the turbulent spirits who are ever ready to excite mutiny. All physicians able to perform duty, who are absent on furlough, will forthwith repair to their respective posts. Commanding officers of regiments and corps are ordered to report *specially* all officers absent from duty on the 30th of June next, and their cause of absence. The army is too small to tolerate idlers, and they will be dismissed the service.

By order of Maj. Gen. Jackson.

(Signed) ROBERT BUTLER,
Adjutant General.

NILES' WEEKLY REGISTER.

No. 21 of Vol. XII.] BALTIMORE, SATURDAY, JULY 19, 1817. [whole no. 3 7.

Hæc olim meminisse juvabit.—Virgil.

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A gentleman of great taste and accuracy, a merchant of this city, has furnished us with a highly interesting statement of arrivals in the several ports of the United States, for the year 1816. We are satisfied that it is as correct as, from the nature of things, it can easily be; affording a valuable item in the statistics of our country. See page 324.

Judge *Livingston's* opinion respecting the bankrupt law, was intended for this paper. It shall appear in our next. The law cases inserted in the Weekly Register are useful, not to gentlemen of the bar only—but may improve and instruct the people at large in matters of great moment to them.

☞ It is delightful to see the words "national character," "national feeling," and the like, coming into *common* use;—and it is, indeed, a luxury to the editor of this paper to believe, that he, as much as any man, has contributed to bring it about.——A pride of country is a bulwark of safety. Let us cherish it—it is the cheapest, as well as the best, defence of the republic.

Internal Improvements.

North Carolina seems roused to a sense of her many natural advantages. The clearing of the obstructions to the navigation of the *Roanoke* and *Cape Fear* rivers, at present occupies the attention of some of her *statesmen*, and with every prospect of success in both undertakings. We have heretofore noticed the former, and now have before us a report of the president and directors of the "Cape Fear Navigation Company" to the stockholders, which warrants a hope that that noble river, for a great distance into the interior, may easily be made navigable for the craft usually employed; in which they have made very considerable progress.

The course of the river has been chiefly obstructed by immense numbers of logs and trees deposited in its bed, and forming sand banks and shoals, until the original channel was nearly filled up. Vast quantities of these have been removed, "some of them almost as heavy as stone by their long submersion," by a very "simple method," that "requires only the steady operation of labor," and it is found that the channel is immediately deepened, the sand then giving way to the current. The removal of the logs alone, it is believed, will effect all the desired improvement from Wilmington to Fayetteville.

This state owes more to *Archibald D. Murphy*, esq. than to any, perhaps, of her many enlightened citizens. His name, through his reports to the legislature, &c. is familiar to our readers; but he has now many associates in his meritorious labors. At the late celebration of the 4th of July, at *Fayetteville*, by all parties, we notice with pleasure that a just tribute was paid to his worth, "as the successful promoter of inland navigation," and with a wish that "the state might delight to esteem and honor him, as he had benefited and honored the people." I hope that the growth of such men may be encouraged—one of them is worth a thousand gabbling politicians; and I truly rejoice to see that they are coming into fashion, in many parts of the union.

Political Economy—No. IV.

PROPOSITION THE EIGHTH.

That shipping and commerce is necessary both to agriculture and manufactures, and essential to the safety of the United States.

The shipping and commerce here mentioned is to be understood as appertaining to our intercourse with foreigners. But the internal and coasting trade is immensely more valuable.

The tonnage of the United States, on the 31st of December, 1815, the latest return that has been published, amounted to 1,368,127 tons—the greatest tonnage that belongs to any nation in the world, Great Britain excepted—and our seamen and half seamen may amount to nearly or about 100,000 men. The value of the vessels may be estimated at 60 millions of dollars, and the annual earnings of the seamen, including *all* the costs and profits belonging to the whole business, at $800 dollars for each, or 80 millions a year. Their employment creates a great *home-market* for provisions, timber, cordage, &c. &c.*

* "Home market." I wish that the importance of this was better understood, and appreciated as it ought to be by the people of the United States. Every body may *see* it, yet most are insensible of its advantages. Lands are improved and property rises in value—and they think not of the why or wherefore. I well know a district of country in a neighboring state in which, by the extension of one manufactory and the establishment of one (or two) new ones, the land, for *several* miles round, has trebled its price within the short period of about eight years—and numerous fields that were considered "worn out," are now, through an invigorated agriculture, covered with the most luxurious productions. This effect is wholly, or at least chiefly, caused by the market established at the farmer's door—a place whereat he can always raise a little money if he has any thing to sell, without trouble. A neighboring miller's bill for flour furnished the people at one of these establishments, averages 2000 dollars a year—and every thing else is in proportion.

I do not recollect that I ever mentioned a conversation that I had at *Annapolis* eight or ten years ago, with a sage member of the legislature of the state, before a room full of company—The legislator was complaining of the multitude of business that was presented to the assembly from *Baltimore*; to which I replied that the fault was in that body, for neglecting, or refusing, to grant powers to the city suited to its progressive state of improvement, by which it ought to be enabled to regulate its local affairs. He said that this might be so—but "any how,—I wish it were sunk in the basin." This was not a political effervescence—he was only tired of making laws to lay out new streets, &c. in Baltimore. I bowed, and thanked the gentleman in the name of my fellow citizens for his goodness towards them.

After a while, I suddenly turned, and asked the *legislator* if he had any land, and what he valued it

Foreign trade is at present very dull. By the tables inserted in subsequent pages it appears that we are rivalled by foreigners in our own ports, and in the transport of our own commodities. *Experience teaches*—we ought no more to suffer foreigners to underwork us in shipping than in manufactures, and for the same reasons. But the defence of our country is immediately connected with the prosperity of our shipping and fisheries—as these decline our means of supporting a navy fails. Ships, of themselves, are as inefficient to protect us as the trees of which they may be composed. *Napoleon* had three fine squadrons rotting in port, while our few frigates, more closely watched by the same enemy, were scouring every sea. If we had had those ships, the late war would have borne a very different character; and the trident might have trembled in the hands of the "mistress of the sea." I am not aware of our capacity to man a naval force by voluntary enlistments, and we never can resort to any other means, though impressment for the sea-service is, I believe, used by every other maritime nation: but the capacity is great, seeing that 300 *able* seamen are considered amply sufficient for a ship of the line, the rest of her crew being made up of ordinary seamen, landsmen and boys. This force has risen up from an extensive and long prosperous commerce; and, for the want of it, is now declining as rapidly as it rose. Powerful efforts should be made to prevent it from sinking below its natural level: we have had more foreign trade than was our just share; but it is now a matter of much interest to take care that we have not less than that share. The reduction of the British navy has cast many thousand seamen on the merchant's service, and their wages are very low. Holland, France, &c. &c. are reviving—and their ships are already numerous at sea. In a few years more, if peace lasts in Europe, we cannot expect any part in the *carrying trade*, and, perhaps, this is as well; but our ships should be protected so as to give to them a decided preference in carrying our own commodities and in supplying us with those that we want for our own uses from abroad. Independent of the profitable employment thus afforded and the home market thereby created, it is by this only that we can expect to keep up a naval force; and it is now generally agreed that we ought to have a respectable establishment, "sufficient to defend itself and us." If the present power to support it is lost, years must elapse before it can be regained. Seamen cannot be made in a day—and their habits are such that they are easily scattered and lost to their country, by the want of employment under its flag. We might here pay a tribute of praise to those of the United States—but we cannot add any thing to their fame. Their renown has reached every part of the world. They are invaluable, and contribute more, perhaps, to the national strength and prosperity, than any other class not more numerous; and we ought to guard their interests as the apple of our eye.

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at? He was surprised with the question and answered, hesitatingly, that he had, and named a price that he supposed it would fetch. I then enquired what it was worth twenty years before—he turned and twisted the question as though he suspected something, but at length stated a sum less than a third of the amount, first given. What was the cause of this great rise of value?——I supposed he had richly manured his fields, built a fine barn, and a new dwelling house, within the twenty years—No,—neither; the lands were poorer and the buildings worse now, by their tear and wear, than they were at the former period. But, said I, there is no effect without a cause——what is the *cause* of the greater value of your land. Why—it was the rise of property, said the law-maker. This is an *effect*—but I want you to tell me the *cause*. "Cause—cause," said he, confusedly, and with a blank and ludicous countenance, "I don't know any cause." I'll tell you—it is a *market* for your products—a place at which you can always get money for any thing and to any amount, great or small, that you have to sell; it is that *Baltimore* which you wish sunk into the basin. The man looked wildly for a moment—the light of truth seemed too great for him; he faintly confessed that he believed it was so, and a peal of laughter completed his discomfiture.

But, and notwithstanding the *home market* is of such mighty importance, and so many times greater than the *foreign*, still the latter, to a very considerable extent, fixes the value upon or determines the prices, of most things that any of us have to spare; extending even, perhaps, to establish the price of a day's labor Hence, it is essential to the interests of all ranks and descriptions of people

We shall conclude this article with a table shewing the tonnage of the United States for the several years from 1793 to 1815 inclusive, (except 1814)—which will be very convenient for reference, and some remarks or comparisons with that of Great Britain.

YEARS.	REGISTER'D		ENROLLED		LICENSED under 20 t's.		TOTAL	
Dec. 31	tons.	95th	tons.	95th	tons.	95th	tons.	95th
1793	367,734	23	114,853	10	7,217	53	889,804	86
1794	438,862	71	167,227	42	16,977	36	623,067	54
1795	529,470	63	164,795	91	19,601	59	714,868	23
1796	576,733	25	195,423	64	22,416	66	764,573	60
1797	597,777	43	214,077	5	23,325	66	835,177	19
1798	603,376	37	227,343	79	24,099	43	854,819	54
1799	669,197	19	220,904	46	25,736	8	915,837	73
1800	669,921	35	245,295	4	27,196	91	942,413	35
1801	718,549	60	246,255	34	28,296	91	993,100	90
1802	560,380	63	260,543	16	29,079	58	850,003	42
1803	597,157	05	268,676	12	30,384	34	896,277	51
1804	672,530	18	286,840	1	30,696	56	990,066	75
1805	749,341	22	301,366	38	31,296	73	1,082,004	38
1806	808,284	68	309,977	5	30,562	54	1,148,824	32
1807	848,306	85	318,189	93	30,838	39	1,197,335	27
1808	769,053	54	387,684	43	33,135	33	1,189,873	35
1809	910,059	23	371,500	56	33,661	75	1,315,221	59
1810	984,269	05	397,704	32	42,809	85	1,424,783	27
1811	768,852	21	420,673	77	42,976	36	1,232,502	39
1812	760,624	40	477,		971	00	1,238,595	40
1813	674,853	44						
1815	854,294	74	462,807	22	51,025	77	1,368,127	78

The gross tonnage belonging to all the ports of the British empire (except Ireland) was, in

1803	2,108,990 tons.
1812	2,421,695*
Ireland, in 1812, only	57,103

*Notwithstanding this aggregate, it appears that no more than 1,579,715 tons of British vessels were entered inward in the same year from all parts of the world, *including their repeated voyages*—which takes in all from Ireland, Guernsey, Jersey, &c. In the same year there cleared, outwards, in like manner, 1,507,353 tons. Either of these is rather over the average for 10 years.

NEW VESSELS BUILT—TONS.

YEARS.	In the United States.	In Great Britain.
1804	103,755 91	135,349 00
1805	128,507 3	95,979 00
1806	126,093 26	89,584 00
1807	99,783 92	69,198 00
1808	31,755 34	68,000 00
1809	91,397 55	57,140 00
1810	127,575 86	61,396 00
1811	146,691 82	84,891 00
1812	84,691 42	115,630 00
1813	31,153 40	94,198 00
	10)971,405 76	10)872,365 00
Average, 10 years,	97,140 57	87,236 00

Trade in Negroes.

If there is any thing that ought to be supremely hated,—it is the present infamous traffic that is carried on in several of the middle states, and especially in *Maryland*, in negroes, for the *Georgia* and *Louisiana* markets. I blush for the honor of the art of printing when I see advertisements published in the newspapers, openly avowing the trade, and soliciting business, with the indifference of dealers in horses.

But, not content with violating every tie deemed sacred in society—of separating husband from wife and the mother from her children, and transporting these miserable beings to a strange land, manacled like felons, and in every way treated as if they had no more feeling than stocks or stones, wretches are not wanting to seize on free persons and carry them off and sell them for slaves—and, unhappily, there are planters base enough to purchase *men* without an enquiry as to the manner in which they were obtained. We recently noticed the punishment of two monsters in the state of *Delaware*, for kidnapping. If that of death was ever meritoriously inflicted, these men ought to have suffered it—for it was their practice to break into the houses of free blacks at night and carry them off, with every aggravation that cruelty could add to the grand offence against the law. The like, perhaps, daily occurs in *Maryland*, and it has happened even in *New-York*, where certain persons guilty of it have also been caught and imprisoned for trial. But in the tates south of Delaware, such is the general nature of the laws, tending to secure a property in the blacks rather than their rights, that it is extremely difficult, if not dangerous, to do much in their behalf, and they are left pretty much to the *mercy* of the dealers in men. The trade has greatly increased within the last two or three years; during which it is thought that twenty thousand have been introduced into Georgia alone. We are surprized that the legislature of that state has not done something efficient to prevent a measure so pregnant with evil; one would have thought that policy, of itself, would have pointed out the impropriety of thus *mixing* the slaves; and have forbidden a hazard of the safety of the whole to gratify the cupidity of a few. Indeed, something ought to be done to break up this trade—humanity is not alone interested in it; safety is also involved. Who could blame the kidnapped negro for seeking his liberty at any cost, and at every sacrifice? Let us take the case ourselves.—We cannot now easily get rid of the slaves—but it is no less our duty than our interest to take care that the evils attending them be not increased.

Susep—the Indian.

Bangor, (Me.) June 23.—At the supreme judicial court which was holden at Castine last week, *Poal Susep*, an Indian of the Penobscot tribe, was indicted and tried for the murder of William Knight, late of this town, The prisoner was brought to the bar on Thursday in the court-house, but so great was the crowd of spectators, the court adjourned to the meeting-house, and there, after most of the day had been spent in a patient investigation of all the circumstances of this unhappy event, the cause was ably argued by the learned counsel for the prisoner, the hon. Messrs. Mellen and Williamson, who had been appointed to this arduous task by the court, and by Mr. Solicitor-General Davis, on the part of the government. After which the court, as is usual in capital trials, asked the prisoner if he had any thing further to say in his defence, who replied that John Neptune would say something for him. This man, though not the present chief of the tribe, is distinguished for good sense and information, and came forward to the forum with the ease and assurance of a CICERO. His speech was not brilliant, but impressive—he alluded to several murders committed on the tribe by our people, which had escaped punishment, and particularly named the case of Livermore who was convicted and sentenced to death for the murder of an Indian, but is now in the state prison under a commutation of punishment by the executive; and said he and his brethern were willing Livermore should be released from his imprisonment, in case Susep should be acquitted—He also expatiated largely on the importance of living in peace and amity with our neighbors—said it was the sincere wish of his tribe, as well as the Quoddy and St. John's Indians, to be on good terms with the Americans, since we were all brethern of the same great family; and reminded the audience that this life at best was short and transitory. The jury after retiring a short time returned a verdict of "NOT GUILTY of murder, but guilty of MAN SLAUGHTER." The sentence was one year's imprisonment in the county gaol.

The facts constituting the offence in this case were, that Susep in a state of intoxication and in a violent passion, had with none or a very slight provocation, stabbed Knight to the heart with a hunting knife. He was arrested on the spot, and committed to gaol nearly a year ago.

About thirty of the tribe, among whom was Susep's wife and relations, attended the trial and behaved with the utmost decorum.

BROWNSVILLE, PA. June 25—*Curious Robbery.*—Some time since, a horse thief stole a horse near Steubenville, Ohio, in the following manner—During the night, he went to the field adjoining the mansion house, in which were two horses—one a young horse, difficult to catch, and the other an old one, easily caught—While he was attempting to catch the young horse the owner awoke, and listening, heard a man say to himself, "since I can't catch you, I'll take the old one." The owner knowing that with the young horse he could overtake the thief, permitted him to proceed. As soon as he was gone, the owner caught the young horse, and went directly, properly armed, in pursuit of the thief. On observing that he was pursued, he left the horse and ran into a deserted cabin by the road side. The owner tied his nag, and followed the thief into the cabin, who had by this time climbed to the top of the chimney; jumping down, he ran to the young horse, untied and mounted him, and was clear off before the owner returned from the cabin.

Statement of the arrival of vessels, at the ports in the United States, from FOREIGN PLACES, *in the year* 1816.

ARRIVALS AT	From Great Britain and Ireland.	From France.	From Baltic and Hanse Towns	From Holland	From Spain and Canaries	From Portugal Azores and Madeira	From Mediterranean, Gibralt'r &c.	From Cape de Verds and Africa.	From Brazil and South America.	From East Indies and China.	From British provinc's in North America.	From West-Indies and Spanish Main.	RECAPITULATION.	Totals of arrivals from Foreign ports.	Arrivals coastwise at the principal ports.
Boston	83	17	52	18	39	36	39	17	8	24	82	241	Boston	656	1684
Salem	1	9	12	.	9	2	10	.	7	13	1	51	Salem	115	* *
Mass. Maine & N. H.	15	3	10	1	20	12	3	17	21	.	4	150	Mass. Maine & N. H.	256	* *
Rhode-Island	.	.	9	2	1	2	2	6	2	7	.	59	Rhode-Island	90	* *
Connecticut	3	.	1	.	1	3	.	3	2	1	1	125	Connecticut	140	* *
New-York	325	82	46	18	38	36	38	21	17	18	75	458	New-York	1172	1832
Philadelphia	108	27	14	15	16	21	12	9	16	12	131	218	Philadelphia	599	1218
Baltimore	53	27	23	17	23	20	23	7	12	3	68	257	Baltimore	533	401
Alexandria	9	2	4	2	8	9	2	4	4	.	24	44	Alexandria	112	322
Norfolk	51	6	4	7	13	12	3	2	1	.	5	136	Norfolk	240	* *
Richmond & Fred'bg.	12	.	1	1	.	.	1	.	.	.	.	10	Richmond & Fred'bg.	25	* *
Wilmington (N. C.)	12	.	.	.	1	3	.	.	2	.	.	92	Wilmington (N. C.)	110	* *
Coast of Carolinas	.	.	.	.	.	1	2	1	.	.	.	61	Coast of Carolinas	65	* *
Charleston	73	22	8	11	7	13	2	.	1	.	.	200	Charleston	337	882
Savannah	41	7	2	.	1	1	.	.	.	.	.	69	Savannah	121	* *
New-Orleans	34	36	5	3	5	2	1	1	.	.	.	110	New-Orleans	197	190
	825	238	191	95	182	173	138	88	93	78	391	2281	Total ascertained	4768	****
Omitted and scattering estimated at least	15	6	9	5	8	7	12	7	7	1	19	69	Scattering, estimated at	162	
	840	244	200	100	190	180	150	95	100	79	410	2350	Total	4930	

Comparative statement of the arrivals of foreign vessels and American vessels, from foreign ports, at the five chief ports of the United States, in 1816.

	At Boston.....	At New-York.....	At Philadelphia	At Baltimore.....	At Charleston....	Totals.....
British . .	146	368	119	70	120	823
French . .	6	11	3	2	10	32
Danish and Swedish	10	4	11	7	15	47
Russian . .	1	1	2	1	5	10
Prussian . .	.	1	1		1	3
Dutch . . .	1	.	6	1	4	12
Hamburg & Bremen	.	.	.	2	4	6
Spanish . .	3	13	13	2	16	47
Portuguese . .	.	5	4	6	1	16
Buenos Ayres .	.	.	..	2	.	2
Haytians . .	.	.	.	4	.	4
Arrival of foreign	167	403	159	97	176	1002
Arrival of American	489	769	440	436	161	2295
	656	1172	599	533	337	3297

Carver's Purchase.

FROM THE ONTARIO REPOSITORY.

The information contained in the following letter from *Micah Brooks*, esq. member of congress from Ontario county, to a gentleman in Batavia, Genesee county, will gratify all who may feel an interest in "*Carver's Purchase*"

Washington, January 7, 1817.

DEAR SIR—I received your letter of the 26 h December last, requesting information concerning the title of capt. Carver, to a large tract of land about the falls of St. Anthony on the Mississippi river. It appears that Carver, or his heirs, claim by virtue of a purchase made by him from the Indians and afterwards recognised by the king of Great Britain; and that of course, by compact, this government are bound to recognize his right to the purchase.

The principle is correct, that all grants made by the British government to individuals, previous to a certain date, are to be recognized by our government; and if the facts stated in favor of Carver's claim was true, his claim is good. But, if his purchase was never recognized by the king, and was made in defiance of the king's ordinance, surely such a claim cannot be recognized by this government.

The facts in this case I will give you, which I take from documents in possession of this government. On the 7th of October, 1763, a proclamation was issued by the king of Great Britain, prohibiting a purchase from any Indian or Indian tribe, except purchases made *for* and in *behalf* of the *government only*; and to be made at a public meeting of the Indians, convened on the ground; which meeting shall be ordered and conducted by the government of the colony. It appears that Carver spent the winter of 1776—7 at or about the falls of St. Anthony on the Mississippi—that he was the only white man at the time in the country, and that if any purchase was made by him, instead of its being allowed or recognized by the king of Great Britain, it was in direct violation of an ordinance of that government, as will appear by comparing the dates of this transaction. The Indians are now in possession of that country, and deny any sale having been made; and the United States claim the preemptive right; so that any attempt to take possession of this tract under a purchase from Carver, would be resisted both by the United States and the Indians.

The sellers and purchasers of this land ought to be undeceived.

Yours, very respectfully,

MICAH BROOKS.

Mississippi and Alabama.

Nashville, June 10.—We are gratified in being able to state that the division of this territory made by the last congress is very generally approved of by the people. The election for the convention to frame a state constitution took place in the western part last week, where in most cases gentlemen of respectable talents were expected to be elected. It is anticipated it will not be very long before the people of the eastern section will also be permitted to elect a convention. It will settle faster than any new country ever did. Gen. Coffee is now surveying one hundred townships adjoining Madison county, lying on both sides of the Muscle Shoals, which is believed to be the flower of the Alabama territory, and has recently been laid off into three counties. All west of Madison county, north of Tennessee river, and south of the state of Tennessee is made one county, and is called *Elk* county, the seat of justice for which is at fort Hampton. All south of Tennessee river, east of the Chickasaw boundary line, north of the highlands that divide the waters of the Tennessee from the waters of the Mobile, and west of the Cherokee boundary line, is made another county, called *Blount county*, the seat of justice of which is at Milton's Bluff All south of Blount county, to the east of Tombigbee river, to the north of Clark county, and west of the highlands that divide the waters of the Alabama from the waters of the Tombigbee, is made another county, called *Sevier county*, the seat of justice of which is at the falls of the Black Warrior.* These counties are settling very fast, and by the time the land can be sold, will contain a dense population. It is expected the sale of those lands will come on at Huntsville, in Nov. next, and they will sell higher per acre than any public land ever offered by the United States. It is supposed the hundred townships now surveying will produce nine millions of dollars, when sold; but from the short time allowed by law, to keep the office open, it is apprehended that only a small part can be exposed to sale this fall. The consequence of which will be that many who are now vesting their funds in scrip, expecting to purchase lands, will be disappointed in their calculations; as they will probably have to wait until another law is passed to continue the sales.

Important Law Case to Merchants.

FROM THE FEDERAL GAZETTE

James Owings vs. *Peter A. Karthaus.*

This case came before the court of appeals for the western shore of Maryland, on an appeal from the court of chancery.

* This is the highest point of navigation of the waters of Mobile, is surrounded by good land, and is only 70 miles from Huntsville, of course we may soon expect to see a large thriving town at this place. [*Clarion.*

It is believed that the decision of the court has over-ruled two long and well established principles of commercial law—and since, by the decision of the highest tribunal of the state, it has now become the law of the land, we have deemed it important to obtain a short but substantial statement of the case for publication.

John M. Minor, of the city of Baltimore, shipped a quantity of merchandize on board the schooner Eagle, for Cumana and a market, consigned to James Owings, the appellant, as supercargo on board the vessel, and received bills of lading therefor, dated 9th January, 1807.

On the 10th, the day following, a contract of co-partnership in the cargo was entered into in writing by Minor and Owings, and at the same time a verbal agreement was alleged to have been made between them, that Owings should retain the cargo and proceeds until all advances and engagements made by him on account of the cargo, as well as any private debt due by Minor to him, should be satisfied.

Both these agreements were private, and made after the cargo had been shipped in Minor's name, and all the papers made out so representing it, and after the vessel was cleared out.

On the 13th the vessel sailed with Owings on board, ostensibly as supercargo, and without any alteration of invoice, bill of lading, &c. the whole of which papers were by Owings permitted to remain without objection in the hands of Minor.

Soon after the vessel sailed, Minor obtained insurance in his own name.

With the bill of lading, invoice, and policies of insurance in his hands, Minor applied to Karthaus, the appellee, to loan him his promissory notes for $4,600, and offered him an assignment of the policy, bill of lading, and invoice as security. Karthaus accordingly loaned him his notes to that amount, and received an assignment as proposed, by blank indorsements. Shortly afterwards, Minor absconded from his creditors, and Karthaus paid the notes.

Owings sold the cargo at Laguira and shipped a return cargo, and took bills of lading for it as shipped on account and risk of Minor solely, and the manifest was conformable thereto. On the return of the vessel to Baltimore, Owings having learned that Minor had absconded, altered the bills of lading and manifest so as to make the shipment to himself and Minor jointly.

It was contended on the part of Karthaus, first, that the contract of co-partnership and the verbal agreement for Owings to retain were, under the circumstances, fraudulent as related to Karthaus, who confided in documents voluntarily left in Minor's hands by Owings, which represented the cargo to be the whole property of Minor, Owings appeared only as supercargo; and, secondly, that if not fraudulent and the partnership and contract were real and bona fide—that yet Minor had the power, as a co-partner, to pledge or sell the goods, and having so done in his partnership character, the endorsements in blank being John M. Minor and company, Karthaus had, at least, an equitable lien on the goods, superior to that of Owings, upon the general principle that either partner can sell or pledge partnership goods on partnership account so as to bind his partner.

But the court overruled both points and decided that the contract of co-partnership and the verbal agreement between Owings and Minor gave Owings an equitable lien on the goods for his advances and engagements, which over reached the assignment from him to Karthaus.

The President's Tour.

To notice the proceedings at *New-London*, &c. we have to make a retrospect. At New-London the following address was presented:

To the President of the United States.

The mayor, aldermen and common council of the city of New-London, in behalf of the corporation, with high respect for his exalted station, embrace this occasion to welcome the president of the United States on his safe arrival in this place.

A visit from the chief magistrate of a nation, so respectable and important in the scale of political existence as the United States, to this portion of the union, is an occurrence interesting to the patriot, and highly gratifying to the feelings of this community—an occurrence, which, as individuals, we shall remember, and which the corporation will record.

It affords us consolation, that your administration has commenced at a period, favorable for improvement; for the establishment of a national—of an American character. A period when the storms of war have passed, and the days of peace commenced—when party spirit is assuaged, and a spirit of mutual charity and forbearance nationally prevails.

That the president of the United States, in common with his fellow-citizens, is enjoying that state of peace which his own agency and energy so essentially produced, is to us a source of pleasing reflection and consideration.

We trust that we may be indulged in the pleasing contemplation that we possess our habitations in safety—that our shores are free from alarms, and that the waters of our harbor are relieved from the presence of a threatening and hostile fleet.

With great satisfaction we once more behold, in the chief magistrate of the United States, a man, who in his youth, had an agency in achieving, with his sword, the independence, and establishing the pillars of that government, of which he is now the head, and which is the pride of America, and the wonder of the world.

From the high stations you have held, and honorably sustained; from the eminent services you have rendered our country, we have a happy assurance, under Divine Providence, of an honorable and prosperous administration; and that, under the auspices of your government, we shall be a united and happy people.

Nothing can give us more satisfaction, than a consideration of the parental view and extensive survey which the president is taking of the northern section of that country, which is happily united under a government of energy and freedom; and of which, by the choice of a great and enlightened people, he is now the political head.

Be pleased, sir, to accept our sincere wishes that your life may be prolonged and happy; that your administration may be prosperous and blessed.—That your journey may be pleasant; and that you may, in health and safety, be returned to the bosom of your family, and all your endearing and domestic relations, with happiness and satisfaction.

JEREMIAH BRAINARD, *Mayor.*

THE PRESIDENT'S REPLY.

To the Mayor, Aldermen and Common Council of the city of New-London.

FELLOW-CITIZENS—In making a tour through the eastern states, with a view to public defence, New London had a strong claim to attention; and in visiting it I have been much gratified by the very friendly reception which has been given to me.

Aware of the favorable circumstances under which I have commenced the duties of the high trust to which I have been appointed by my fellow-citizens, it will be my zealous endeavor to derive from them, in the administration of the government all the advantages which they can afford. It is only making adequate preparation for war, now that we are blessed with peace, that we can hope to avert that calamity in future. It is only by a vigorous prosecution of the war, when it becomes inevitable, that its evils can be mitigated, and an honorable peace be soon restored.

In the pursuit of great national objects it is equally the interest and the duty of the whole American people to unite.——Happy in a government which secures to us the full enjoyment of all our civil and religious rights, we have every inducement to unite in its support. With such union, we have nothing to dread from foreign powers.

For the kind interest which you take in my welfare, I beg you to accept of my warmest thanks, and to be assured of the sincerity with which I reciprocate it, in favor of the citizens of New-London and its vicinity. JAMES MONROE.

After inspecting the site and works of Fort Trumbull, he proceeded across the harbor to Groton, to visit Fort Griswold, that memorable spot, which a band of volunteer militia defended, when assaulted by the British, September 6th, 1780—and where a large number were sacrificed after the surrender.

He entered the fort with his suite, the naval and military officers present, and several distinguished citizens. In the fort, at his request, some of the surviving heroes, who so valiantly defended it, in the revolutionary war, were introduced to the president. The scene now became truly interesting. After a lapse of so many years, Fort Griswold and the hill on which it stands, becomes again distinguished in the annals of our country. There we behold the *nation's chief*, and at his side the hoary veteran, who on that spot, thirty seven years having since passed, stood as a volunteer in defence of his *country* and his *home;* and, after surrendering to a superior force, was wounded and left for dead.

Mr. Park Avery, and his brother Mr. Ebenezer Avery, of Groton, both upwards of 70 years of age, were among the few present. Their scars were too conspicuous to permit them to escape the particular notice and kind attention of president Monroe. Past scenes crowded on his recollection, and when under the impulse of the moment, he laid his hands on the traces of their wounds, these venerable patriots realized that their country blessed them, while her chief gratefully noticed the scars which bore honorable testimony to their valor, and their sufferings in her defence.

Mr. Monroe, in reply to the *Middletown* address, observes,

"If I were a spectator only, instead of party in this scene, I should be deeply affected by it. There can be no spectacle more interesting to a generous mind, than that of a free and virtuous people, receiving with unfeigned demonstrations of respect and confidence, a chief magistrate, deriving his office from their voluntary suffrages.

"Aware of the great importance of the establishment of adequate works for territorial and maritime defence, it is my object to give full effect to the provisions made by law, for those purposes. Should my efforts obtain the approbation of my country, and contribute in any degree to promote harmony of opinion among my fellow-citizens, so necessary to their prosperity and happiness, I shall derive from their success the highest gratification."

Continuation of proceedings at Boston, &c.

On the 5th, he visited the first victor in the *Constitution*, capt. *Hull*, at Charlestown, and breakfasted with him. A spacious arch was thrown over *Charlestown* square, in the centre of which appeared—

"June 17, 1775.'

the memorable day of the fight at *Bunker's Hill.* He then examined the navy yard, and visited the ship Independence, elegantly decorated with the flags of various nations. He afterwards returned to Charlestown, and reviewed a body of troops there assembled. Then he ascended the memorable hill, where, in 1775, the hardy yeomanry of Massachusetts so bravely withstood the assaults of superior battalions of disciplined veterans. Here, near the monument erected to the memory of WARREN, he reviewed about 1,700 men, artillery, cavalry and infantry.

In the afternoon he attended the sacred Oratorio, given by the Handel Haydn Society.

Among the private visits of the president at Boston, &c. we notice the following: To president Adams, governor Brooks, Messrs. Gore, Otis, Perkins and Lyman—and the ladies of William Gray, esq. general Dearborn and captain Hull, and of Messrs. Otis and Blake. At Mrs. Dearborn's he renewed his acquaintance with the widow of the late vice-president *Gerry*—Mrs. Gray's reception is spoken of being very magnificent. The Patriot observes—"The easy and affable manners of the president charm all hearts; and make him as great a favorite with the ladies, for his urbanity and politeness, as he is with the other sex for those high and commanding powers of mind, which have produced for him his present exalted situation." He also paid paid a friendly visit to the widow of *Hancock*—president of the congress that declared these states independent.

On the 7th of July the president visited the University at Cambridge, where, after an address and reply, the degree of Doctor of Laws was conferred upon him. After which he viewed the library and philosophical chamber, &c. then witnessed the manœuvres of the Harvard Washington corps, and partook of a collation with the president of the University. At one o'clock he reviewed the first division of Massachusetts militia, accompanied by the governor; but left the ground early to dine with the venerable president Adams, at Quincy.

The following address was presented to the president on the 4th of July.

To the President of the United States.

SIR—The recent session of the legislature of Massachusetts being closed previously to your arrival in Boston, the republican members of both branches are deprived of the pleasure of *personally* paying their respects to the president of the United States. Those members, therefore, who were present at the adjournment, together with a number of their brethren of Boston, have deputed us to offer you their congratulations on your arrival, and to express their high regards for your official and personal character.

We are happy, sir, in having this opportunity not only of expressing our sincere congratulations on your election to the chief magistracy of the United States, by so large a majority of the electors, but to bear this public testimony of our estimation of the services rendered your country, in the various stations in which you have heretofore officiated in Europe and America. These are sure pledges that the prosperity of the American republic will be the object of your pursuit, and that while you are desirous of allaying the asperity of party dissen-

tions, you will be anxious to maintain the legitimate principles of the constitution with unabated ardor.

The patriot who has uniformly supported the honor of his country in its various conflicts, is ever entitled to the applause of his fellow citizens. Fully impressed with this sentiment, we gratefully acknowledge your unremitted exertions in vindicating our national and commercial claims, when the immediate calls of the country rendered the services of our most enlightened statesmen urgent and indispensable. We anticipate with pleasure the blessings arising to the United States from the wisdom and rectitude of your administration, more particularly in patronising such institutions as will extend the useful branches of science and literature, and promote the agricultural, manufacturing and commercial interests of your constituents.

We wish you every blessing, both national and domestic, and trust that your name will be recorded in the American annals with the same respectful veneration as distinguishes the characters of your illustrious predecessors, WASHINGTON, ADAMS, JEFFERSON and MADISON.

May you pursue your journey under the care of a benign Providence, happy in the reflection that the personal safety of the chief magistrate of a republican government, requires no other protection than what arises from the affections of his fellow citizens.

In behalf of our brethren and fellow citizens, we most cordially bid you welcome to the metropolis of Massachusetts.

HENRY DEARBORN,
BENJAMIN AUSTIN,
WILLIAM LITTLE,
RUSSELL STURGIS,
JACOB RHOADES,
JOHN BRAZER,
WILLIAM INGALLS. } *Committee.*

To this address the president returned a brief reply and intimated that he should make a full reply in writing.

On passing through *Charlestown* he was welcomed by the following address,—

"We have the honor, sir, in behalf of the inhabitants of Charlestown, respectfully to welcome you to this ancient settlement, which has once fallen a sacrifice to freedom; and still retains some vestiges of the revolutionary war, in which you engaged, at an early period of life.

We cheerfully unite with our countrymen, in the expressions of esteem and confidence to which your illustrious character and station entitle you, and we rejoice that whilst your administration has commenced under such auspicious circumstances, we can anticipate its progress, with public approbation, and its termination, with renown to yourself, and prosperity to the nation."

To which the president replied:

"It is highly gratifying to me to meet the committee of Charlestown, upon a theatre so interesting to the United States.

It is impossible to approach Bunker Hill, were the war of the revolution commenced, with so much honor to the nation, without being deeply affected. The blood spilt here roused the whole American people, and united them in a common cause in defence of their rights—That union will never be broken.

Be pleased to accept my thanks for your kind attention on this interesting occasion."

At the university of *Cambridge*, the audience being seated, president KIRKLAND, addressed the distinguished visitor in the following animated and congratulatory address.

SIR—The president and fellows of Harvard college are happy in an opportunity of presenting their respectful salutations to the chief magistrate of the nation. It is peculiarly grateful to us that a visit to the university has not been found inconsistent with those objects of public concern, which engage the attention of the president of the United States in the course of his itinerary progress.

We take satisfaction in this notice of our seminary, as evincing your estimation of liberal studies, and your interest in the education and character of American youth. Our academic functions cannot fail to derive dignity and effect from the countenance of the civil authorities, and our pupils to find incitements to excellence in all the demonstrations of sympathy in their pursuits and destination, given by those who fill exalted stations.

We bid you welcome, sir, to an establishment coeval with the foundation of the state, and the object of public and individual favor through many successive generations. While, however, its connection with the history of past times, and the number of sons, which, in the lapse of nearly two centuries, it was annually dismissed from its care, are circumstances which naturally excite a degree of interest, we are sensible that antiquity alone though venerable, is an inadequate basis of respect from men of intelligence and reflection. We would hope that the cherished seminary has other and stronger claims to complacent regard from every friend to the best interests of man, every patron of intellectual and moral excellence.

With the rudiments of good literature and the elements of science, it has been the constant and elevated aim in this institution to inspire the minds of youth with those principles of virtue and piety, with those manly sentiments, and with that pure love of truth and duty, which are the most valued ingredients of character, and, which are best calculated to form the man and the citizen.

By pursuing such a course this ancient school has sought to preserve in close alliance the interests of religion and learning, of faith and charity, of liberty and order.

Desiring to train those who are under our charge for the whole public and for mankind, we deem it an essential part of our office to endeavor to temper the prejudices and feelings incident to particular attachments and geographical divisions; to exhibit the evidence and authority of our common faith, with a due moderation in respect to peculiarities of opinion and mode; and to encourage free inquiries into the nature, the value, the dangers and the preservatives of our republican institutions; with a just reserve upon those controverted questions which tend to inflame the spirit of party.

We present to your view, sir, that portion of the youth of our country now resident within these walls; and are happy to bear testimony to the many pledges they give of their regard to the interesting objects of literary pursuits, and to those attainments on which their future usefulness must depend.

May they, and all the sons of this University, ever cherish those generous affections, and aim at those solid acquirements, which shall bind and endear them to their country, and render them approved instruments in advancing the interest and honor of our nation, and strengthening and protecting its precious institutions.

In these indications of the purposes of public education, we are persuaded, Sir, that we refer to objects which you deem worthy of high regard.

We congratulate you on the auspicious circum-

stances which attend the commencement of your administration. Accept our wishes and prayers for its happy course and issue; and indulge the expression of our desire, that whilst you, by the favor of heaven upon the exercise of the appropriate duties of your high station, obtain the happiness of seeing the associated communities, over which you preside, safe and prosperous, it may be our privilege by fidelity and zeal in our allotted sphere, under the smiles of the same good Providence, to co-operate in the work of patriotism, by diffusing the light of knowledge and the saving influence of religion and morals.

July 7, 1817. JOHN T. KIRKLAND."

The reply of the president was energetic, eloquent and satisfactory—at the close of which he said he should embrace another opportunity to return a more full and formal answer in writing.

On the forenoon of the eight of July he left Boston for *Marblehead* and Salem.

☞We have devoted more time and room to an account of Mr. Monroe's visit to Boston than many may think it deserves. But if it does not interest *now* it may be useful for *reference*. The Chronicle and Patriot observes—"The visit of the *President* seems wholly to have allayed the storms of party. People now meet in the same room who would before scarcely pass the same street—and move in concert, where before the most jarring discord was the consequence of an accidental rencounter. We hope it will so remain. If no other effect is produced by the president's visit, this alone will be an ample remuneration to him for his journey. By making people better acquainted with each other, the thousand prejudices and animosities previously existing are rubbed off. It is found that citizens in opposite parties are not so unworthy of reciprocal respect as before they were thought to be, and that each have qualifications which entitle them to the esteem of the other. The spirit of exclusive self-love wears away, and intercourse with each other shews even to prejudiced minds, that the virulence of party spirit which has been imputed to them is not so strong or immovable as had been suspected. This harmony is the harbinger of a better order of things, and we trust it will continue beyond the cause which produced it. While the red rose and the white one is the ornament of the same bosom, we hope it will be an antidote to that spirit of arrogance and presumption which prevents them from growing on the same stock"

In the other papers we see notices of the president, in perfect harmony with the preceding—

The *Boston Gazette* says—"In every place through which the president has passed, in his eastern tour, the people have most generously, and without distinction of party, manifested that respect towards him, and paid him those civic and military honors, which *his distinguished merit as a patriot* and chief magistrate, has *justly entitled him* to, from his fellow-citizens."

The *Boston Centinel* calls the present the "*era of good feelings*," and observes—"during the present jubilee may persons have met at festive boards, in pleasant converse, whom party politics had long severed. We recur with pleasure to all the circumstances which attended the demonstrations of good feelings.

The dinner given by the venerable ex-president ADAMS, consisted of nearly forty covers—was arranged with noble simplicity and unaffected elegance, and embraced as guests eminent men of all political parties. The accomplished and excellent lady of the ex-president did the honors, seated between the president of the United States and the governor of the commonwealth. Besides these personages, and their respective suits, there were among the guests, his honor lt. gov. Phillips, chief-justice Parker, judges Davis and Adams, marshal Prince, and Mr. Blake, district attorney; maj. gen. Crane, the generals Dearborn, Humphreys and Miller; the commodores Bainbridge, Hull, and Perry; hon. William Gray, H. G. Otis, James Lloyd, and Josiah Quincy; W. N. Boylston, esq. president Kirkland, reverend Messrs. Whitney and Coleman; Mr. Shaw, to whom the republic of letters is greatly indebted for the establishment of the Athenæum, and others whose names we could not learn."

After complimenting that excellent officer, gen. *Swift*, of the engineers, the Centinel speaks of the president's visit, as "an event which has a more direct tendency than any other, without any violation of principles, to remove the prejudices, and harmonize feelings, annihilate dissentions, and make us indeed *one people:* for we have the sweet consolation (a balm that will heal and cicatrise all wounds) to rest assured that the president will be president, not of a *party*, but of a great and powerful nation.

"Should these brief articles ever be perused in a foreign land, let the reader know, that they are not the adulatory or idle compliment of a few courtly sycophants; but the voice of truth pronounced with emphasis by millions of bold and independent freemen, who, however they may differ in opinion on minor points of policy, *feel they have a common country to love and defend.*

"During the president's excursion among the beautiful islands in Boston bay, to explore with a military eye the points of defence, and to examine the reasons for establishing a great maritime depot at the navy yard, there was one proud moment for sketching a *picture* worthy the hand of a master.

"It was when the commander in chief of the land and naval forces of United Americs, standing on the lofty head of *Long Island*, which overlooks the whole picturesque and delightful Archipelago, general SWIFT unfolded on the ground before him, a spacious map of the harbor, and with a soldier's impulse, indicated with his sword's point the fortifications which had been erected under his orders; while the gallant HULL, BAINBRIDGE and PERRY, explained the course and depths of the channels through which their ships had borne them triumphant from the ocean.

"As appendages to these primary and prominent figures, the group might include the real likenesses of heroes and patriots whose services to their country can never be forgotten."

Mr. *Topliff*, keeper of the Merchants' Hall, says—"Ever since the president arrived here, business has in a great measure been suspended. Party feeling and animositics have been laid aside, and the people have universally discovered a disposition to do every thing in their power to render his visit agreeable and happy. But one great national feeling has animated every class of our citizens—in fact, they never appeared, and certainly never conducted more like true Americans, than on this occasion.—The president must have been highly gratified with the attention shown, and the citizens equally so in having the opportunity."

Indeed, the president's stay at Boston was a round of amusement and pleasure. The fondness of the people of that town for shew was indulged to the utmost extent, and all parties seemed really *surprized* at their meeting and being so happy together;—for in Boston, *party* had drawn a line between *good neighborhood*. The ladies' entertainments were

very splendid—200, and upwards, being present at some of them.

A few *warm* politicians have felt offended at the proceedings at Boston; or, seem rather angry with Mr. Monroe for giving up to them as he did. I am not one of these. I do not like such pomp and parade as has been exhibited—but I believe it will do a great deal of good in the present instance; and have much effect to raise up a *national feeling*, on the ruins of *party prejudice*.

There was also much ceremony and shew at *Salem*—but the narrative must be postponed—At honest *Marblehead* the president was received with great respect by the fathers of the town and the people.

By the order of the governor, the major-generals of their several divisions, with their suits, will meet the president at the boundaries of their districts; and accompany him through them. This attention will be in addition to the escort of cavalry which is to escort him every mile he travels in Massachusetts, including Maine.

Foreign Articles.

STATE PAPERS.

Difference between Spain and Portugal.

"——— May 8.

"The conduct of the government of Brazil, in invading the Spanish possessions on the river Plate, has occupied the attention of Europe as much on account of the act itself, as on account of the period at which it was done. All nations were convinced that the profoundest peace was necessary to heal the deep wounds which had been the consequence of so many years of war and revolution. Yet this was the moment which the court of Brazil chose to invade the territories of its neighbor. The Spanish government on this occasion acted with the greatest prudence and moderation—and the allied powers afforded a fresh proof of their generous ideas and pacific intentions. The following note from the ministers of Austria, France, Great-Britain, Prussia and Russia, delivered to the marquis de Aguiar, his most faithful majesty's minister for foreign affairs, is a document perfectly well calculated to tranquilize the public mind, and to induce a hope that the court of Brazil, adopting those principles of legitimacy and justice upon which the present system of the world is founded, will avoid compromitting herself with the allied powers.—The good faith and dignified character of his chatholic majesty are most apparent upon this occasion. The decisive language of the ministers from which the following note has proceeded, will prove the opinion of their respective sovereigns in favor of Spain—and that their relations with her are as fixed and solid as they can be between powers the most intimately connected.

Note from the ministers of the mediating courts to the marquis D'Aguiar, secretary of state for foreign affairs to his most faithful majesty.

Paris, March 16, 1817.

The occupation of a part of the Spanish possessions on the river Plate by the Portuguese troops of Brazil, was no sooner known in Europe, than it was the object of official and simultaneous steps taken by the cabinet of Madrid, with the courts of Vienna, Paris, London, Berlin and St. Petersburg, in order to protest solemnly against this occupation, and to claim their support against such an aggression.

Perhaps the court of Madrid might have thought herself entitled to recur at once to the means of defence which Providence has placed in her hands, and to repel force by force. But guided by a spirit of wisdom and moderation, she was desirous first of employing the means of negociation and persuasion, and she preferred, notwithstanding the disadvantage that might result to her possessions beyond the sea, addressing herself to the five undermentioned powers, in order to an amicable adjustment of her differences with the court of Brazil, and to avoid a rupture, the consequences of which might be equally disastrous to the two countries, and might disturb the repose of both hemispheres.

So noble a resolution could not but meet with the entire approbation of the cabinets to which the court of Spain has addressed herself, and animated with the desire of preventing the fatal consequences that might result from the present state of affairs, the courts of Austria, France, Great Britain, Prussia and Russia, equally the friends of Portugal and Spain, after having taken into consideration the just claims of the latter power, have charged the undersigned to make known to the cabinet of his most faithful majesty—

That they have accepted the mediation demanded of them by Spain.

That they have seen with real pain, and not without surprise, that at the very moment when a double marriage seemed to bind more closely the family ties already existing between the houses of Braganza and Bourbon, and when such an alliance was to render the relations between the two countries more intimate and more friendly, Portugal has invaded the Spanish possessions on the river Plate, and invaded them without any explanation whatever, and without any previous declaration.

That the principles of equity and justice which direct the councils of the five courts, and the firm resolution they have adopted to preserve, as much as is in their power, the peace of the world, purchased by such great sacrifices, have determined them to take cognizance and part in this affair, in the intention of terminating it in the most equitable manner, and most conformable to the mode of maintaining the general tranquility.

That the said courts do not dissemble that a difference between Portugal and Spain might disturb that peace and occasion a war in Europe, which might not only be disastrous to the two countries, but incompatible with the interests and the tranquility of other powers.

That in consequence they have resolved to make known to the government of his most faithful majesty, their sentiments on this subject, to invite him to furnish sufficient explanations upon his views, to take the most prompt and proper measures to dissipate the just alarms which his invasion of the American possessions of Spain has already caused in Europe, and to satisfy the rights claimed by the latter power, as well as these principles of justice and impartiality which guide the mediators. A refusal to yield to such just demands would leave no doubt with respect to the real intentions of the court of Rio Janeiro. The disastrous effects that might result to the two hemispheres would be imputed entirely to Portugal; and Spain, after having seen all Europe applaud her wise and moderate conduct, would find in the justice of her cause, and in the support of her allies, sufficient means of redressing her complaints.

The undersigned in acquitting themselves of the orders of their courts, have the honor to offer to

his excellency the morquis d'Aguiar, the assurance of their high consideration.

(Signed) VINCENT,
RICHELIEU,
STUART,
GOLTZ,
POZZO DI BORGHO.

LUCIEN BONAPARTE.

Geneva, April 25. I send you a copy of the document which contains the determination of the allied powers, to prevent the escape of Lucien Bonaparte to the United States of America, and those ulterior plans which the discontented refugees propose for the purpose of making of America a theatre of revolutionary ideas, and a new field for ambition and intrigue. The principles of justice, order and legitimacy that govern the powers of Europe, will always disconcert the machinations of the seditious to disturb the peace, and will oppose a barrier to their spirit of rapine, and their plans of usurpation. The first and most efficacious information of this business was derived from the zeal and activity of the Spanish government, well informed of these plots by exact accounts received both in Europe and America. Thus Spain deserves the confidence of all governments and the approbation of the people.

The following document will be read with much interest:

PARIS, ———.

Protocol of the conference of the 13th of March.

Present the minister of Austria, duke de Richelieu, duke of Wellington, Sir Charles Stuart, the Prussian minister, the minister of Russia.

The conference having been opened this day with their excellencies the dukes of Richelieu and Wellington, to take into consideration the demand made by Lucien Bonaparte for passports to conduct one of his sons to the United States, and the Austrian minister having again laid down the three questions proposed at the protocol of the 2d inst. relative to the same object, it has been agreed—

1. That North America having received a great number of malcontents and French refugees, the presence of Lucien Bonaparte in the United States would be still more dangerous than it is in Europe, where he can be better watched, and that in consequence it is to be desired that the passports he has asked for should be refused.

2. That in order to deprive him of all possible motives for soliciting the said passports, it would be equally desirable to refuse them to his son Charles, whose journey seems to be only a pretext for the plans of the father.

3. That the news received by different means and from different countries, particularly from Naples, leave no doubt of the intrigues and dangerous relations which Lucien Bonaparte keeps up in Italy—and considering that Rome is, perhaps, of all cities that in which superintendence is the most difficult to be exercised, and is exercised with less severity, and that he may, notwithstanding the refusal of passports, find means of deceiving the vigilance of the Roman government, and of escaping to proceed to America; it would be desirable that another abode be assigned him than Rome and the Roman states, by the high allied powers, and that he should be further removed from the coasts, in order to render the plans of escape which he may meditate more difficult.

This opinion being common to all the members of the conference, it has been resolved to consign it in the protocol of the day, in order that it may be made known to the four courts, and may produce a determination on their part upon this subject.

(Signed) VINCENT,
RICHELIEU,
WELLINGTON,
C. STUART,
POZZO DI BORGHO.

ENGLAND, &c.

In the house of commons, May 21—Mr. Brougham gave notice of his intention to move, on the 5th of June (which he believed was the first open day) for leave to bring in a bill for the repeal of the Septennial act [loud cries of hear! hear! hear! on the opposition benches.]

Sir Francis Burdett's motion for parliamentary reform, was negatived in the house of commons, May 20—ayes 77, noes 265. That gentleman's speech is a most able one.

A mob collected at Clare, in Ireland, broke open the stores and carried off 2000 barrels of oats that had been imported for seed.

The great mills at Birmingham, called the Water street mills, were lately burnt to the ground. Loss estimated at £200,000. Several hundred people are thereby thrown out of employment.

It is perfectly understood that the habeas corpus suspension act will be further extended. The common council of London had met for the purpose of petitioning against it.

Since 1814 it is said that the British army has been reduced 221,794 men!—This, it is presumed, includes the foreign mercenaries.

It is reported that 6 ships of the line and 12 frigates are immediately to be equipped for South America.

Large quantities of American flour have arrived in England—yet the price kept up; 76 to 77*s.* or about $17 *per bbl.* It was intimated, however, that it would soon decline, the prospect of the crops being very good, in consequence of late rains.

The value of ten millions is to be issued in a new gold coin to be called sovereigns and half sovereigns, 20 and 10*s.* pieces.

The present stock of sheep in Great Britain and Ireland is estimated at 42 millions, of which more than 30 millions are of the short wooled species.

As one instance out of many of the enormous increase of the poor rates in England, the "Globe" informs us that those of the parish of Plymstock, in Devonshire, which three years ago did not exceed sixty pounds per annum, now exceed fifteen hundred pounds for the same period.

Amongst the arrests of the disaffected which have lately taken place in the united kingdom, is that of the Rev. Neil Douglas, a minister residing at Glasgow, in Scotland. He is accused with "wickedly, slanderously, falsely and seditiously, in the course of the prayers, sermons, or declamations utterred by him, of asserting and drawing a parallel between Nebuchadnezar, king of Babylon, and the king of England; who he says, like the former was driven from the society of men for infidelity and corruption; that his royal highness the prince regent was a poor infatuated wretch, or a poor infatuated devotee of Bacchus, who, not having taken warning from the example of his father, would meet a fate similar to that of Belshazzar, king of Babylon, if he did not amend his ways, and listen to the voice of the people." The reverend gentleman is also accused with calling the honorable members of the house of commons thieves and robbers. [*How impudent—to tell so many truths in so few words*—Hang the "jacobin."]

A gentleman of the name of John Ritchie, of Liverpool, has recovered 750*l.* of the proprietors of a stage coach, in consequence of wounds he received by being overturned through the carelessness of the driver.

A return has been made to an order of the house of commons, in which it appears that the aggregate amount of debts of persons who have applied for the benefit of insolvency is 8,863,969*l.* 13*s.* 10*d.* The number of insolvents 11,617. [The time is not given.]

Business has considerably revived in England.

The son of a gentleman of fortune, in St. James' Square, being intoxicated, d—d the prince regent—for which he was taken up and examined, and held to bail for his good behaviour.

The county of *Louth*, in Ireland, has been proclaimed under martial law.

There are 15,000 common beggars, and 50,000 common prostitutes in London alone—100,000 of the latter are estimated in England.

Talma, the celebrated French tragedian, is on a visit to England. Kean, the English tragedian, is engaged to visit the United States.

Scottish Petitions.

We have seen copies of some of the petitions from Scotland, lately presented to parliament and to the prince regent. The following is sufficient to shew their manner and spirit:

PETITION TO THE PRINCE REGENT.

To his royal highness, George, prince of Wales, regent of the united kingdoms of Great Britain and Ireland, the humble address and petition of the burgesses and inhabitants of the town of Kilmarnock.

May it please your royal highness, we, his majesty's dutiful and loyal subjects, beg leave to represent to your royal highness our distresses and our grievances, to point out to you the causes of them, and respectfully to suggest the adoption of those measures which we conceive to be the only remedy.

We can no longer conceal that we, and the great body of our fellow-citizens around us, (as far as our knowledge extends,) are suffering under the most unprecedented distress and unaccustomed privations, from a general stagnation in every branch of trade, and the consequent want of employment which hath reduced many families (lately in a state of comfort) to the extreme of poverty and wretchedness; and although shades of difference may be found amidst such a wide spread population, yet so universal is the evil, that every class of the community is sinking under its irresistible pressure, without any prospect of amelioration.

We ascribe all the evils which we suffer chiefly to our enormous burdens—to that excessive taxation which misses nothing under Heaven, and which extends, in many instances, to 3, 4, and even to 500 per centum on the prime cost of many different commodities. By such immoderate imposts, of long endurance, and incessantly repeated, have the capitals of all classes been sapped, drained or exhausted. Bankruptcy follows bankruptcy in melancholy train. The circulating medium (our national coin,) hath evaporated in subsidies, and is succeeded by paper as a substitute. The natural and inevitable consequence of all which is, that our agriculture languishes, our manufactures decline, and our commerce expires. The ingenious artizan, the adventurous sailor, and the active and industrious laborer, are now seen half fed, half clad, and idly roaming on the brink of despair.

We wish not to trouble your royal highness with the painful detail of all the complicated calamities which beset us on every side; but our duty obliges us to be candid, and to state, that those evils are by no means the consequence of a mere transition from a state of war to that of peace, (as attempted to be circulated,) nor from any sudden or accidental cause; but have been progressively accumulating, until now, that they are past the power of any temporary expedients to remove. They are the effects of a misguided policy, which plunged the nation into unjust and unnecessary wars, wantonly entered into, and pertinaciously persisted in, even when no rational nor national object could be obtained. In all these wars, and particularly the last, the expenditure of the people's money has been profuse, improvident and unbounded. *Abroad*, foreign princes were bribed with immense subsidies, to fight their own battles, and to extend their domains by robbing their weaker neighbors; whilst other princes have been forced back upon the nations which expelled them, and held them in abhorrence. At *home*, hath not prodigality been the order of the day? A civil list of unexampled magnitude—exorbitant salaries—unmerited pensions—and sinecures in still increasing multitude. A military peace establishment, which is unconstitutional, and unprecedented in number. By these improvident measures, a debt has been incurred, so immense, that though figures may indeed compute, yet the human mind can form no distinct idea of it. A debt so enormous as to exceed the fee-simple of the whole of your three united kingdoms, at a fair valuation.

When we came to discover those alarming facts, our hearts stood appalled, as if we had trod on a volcano: We looked around for the cause, and we found it in the very corrupt and defective *representation of the people in parliament*. We found that the commons' house, whose members ought to be chosen annually by the people—should be the organ of the people's voice—the guardians of their rights and the public purse, had lost all control over the servants of the crown, and had become subservient to the will of the minister of the day: That the great body of the people are excluded from their elective franchise—that a majority of your honorable house are returned to parliament by proprietors of rotten boroughs, the influence of the treasury, and a few more individuals; and that seats therein are bought and sold like tickets for the opera. Of this very serious defection, we are possest of proofs innumerable—the facts were distinctly stated and offered to be proved at the bar of that honorable house, in a petition presented in 1793, by the hon. Charles, now Earl Grey; which were tacitly admitted, and now stands acknowledged by every candid mind. Yet your ministers accuse the people of being *irritated* and *misled*, and sometimes of ignorance and impatience, &c. We shall not dispute the charge. We reply that we have indeed been misled, but it was by those very ministers who have duped and misled us, as well as your royal highness. If irritated; it is they who have done it. And if we have been unfortunately ignorant of our political condition in the state—we solemnly promise to be so no more.

But we beg your royal highness will permit us to state to you, that the late war, so very baneful in its national effects, and which we have above designated "unjust and unnecessary," bears still a more aggravated character: Your royal father's ministers publicly told us, that it was "for religion and social order"—the "status quo ante bellum," or state prior to the war, "indemnification for the past and security for the future." And they now boast that they have conquered and gained their every object. But we would ask these ministers, if to restore the

pope to all his former splendor, and the inquisition to all its racks and fiery horrors, be religion? Do they call it religion—their having forced three bigoted catholic princes back upon the people, who despised them, with all the mummeries of popery; or palliating, with palpable untruths, the massacres at Nismes, and the chains and dungeons which assailed the Spanish patriots?—Or was it religion which prompted them to coalesce with papists alone, and to war with every protestant state, to force them into their mad crusade? We would likewise ask them, can social order, or the social relations, subsist betwixt the arbitrary princes whom we have forcibly restored, and their unwilling subjects? Is it the status quo—the state prior to the war, to sanction robbery in the gross, yet punish it in detail? Was restoring all to the "state before the war," to extinguish the ancient republics of Poland, Holland, Venice and Genoa, after having induced their aid by solemn promises of such restoration, to our indeliable dishonor? As to our "indemnification for the past," who is there so ignorant as not to know, that it may be crammed into the cavity of a nutshell, yet not burst it. And with regard to our "security for the future," we are sorry to think, that after all the expenditure of men and money, it is fully as problematical as it was twenty-three years ago. We have here deemed it necessary, sir, to undeceive you, by telling you those things in order to do away the false coloring with which ministers constantly endeavor to gild their measures, to deceive and mislead the nation, and avert blame for their mad career.

Such is our condition, that we can no longer support our aggravated burdens with such diminished resources; and do most humbly suggest to your royal highness, that we know of no remedy, nor means of preventing a recurrence of the dreadful evils which we, as a nation, suffer, and the grievance we complain of, than by a thorough reformation of the abuses which led to them, and restoring to the people their undoubted right of freely, equally, and annually electing their own representatives, in the commons house of parliament; this will infuse a hope of better times in their bosoms, which will calm their apprehensions—allay the severity of their sufferings—ensure their loyalty and affection, and prevent those calamities which the nation cannot fail to be involved in, by an infatuated adherence to the present system of corruption and extravagance.

May it therefore please your royal highness, to call your parliament together as soon as practicable; and we most earnestly pray that you will have the goodness to recommend to their immediate attention and consideration these important concerns, and the adoption of measures for abolishing all useless places, pensions and sinecures; the reduction of our present enormous military establishment; making every practicable reduction in the public expenditure, and restoring to the people their constitution and imprescriptible rights of annually choosing their own representatives in parliament.

FRANCE.

The sum of 75,000 francs is daily expended by the city of Paris to keep down the price of bread to 18 sous for 4 lb.

A petit conspiracy of some five or six soldiers resolved to shoot the Bourbon princes at a review, is mentioned in the French papers.

An actress at Lyons dropped her *garter* on the stage—it was *tri-colored*. She hastily picked it up and appeared to wave it. Thunders of applause, with violent clamors immediately followed. The play was stopped, and the opposite parties, without more to do, went to fighting. The national guard sided with the *tri-colors*, the Swiss hirelings took the part of the *whites*—the latter were defeated with great damage. The foreigners have since been removed from the city.

Many plots and conspiracies are talked of. It would seem that they are likely to become *fashionable*.

The expences of the French government for the year 1817 are estimated at upwards of a thousand millions of Francs—nearly 200 millions of dollars, of which about 75 millions are *extraordinaries;* a loan of 54 millions will be required, in addition to the taxes, &c. to meet those expences.

NETHERLANDS.

The Naine Jaun and Liberal—the Journal of East and West Flanders, and the Constitutional Journal of Antwerp have been suppressed, and the proprietors banished at eight days notice. How strange, that a press and a few types should so alarm the "allied sovereigns," with their millions of soldiers?

GERMANY, &c.

From the 1st to the 16th of May, 5,817 persons passed Mayence on their way down the Rhine to proceed to America.

There have been great mercantile failures at Bremen, Hamburg and Copenhagen.

The marriage of the archduchess Leopoldina with the oldest son of the king of Portugal, &c. was celebrated at Vienna on the 13th of May.

Bible societies, and the circulation of the bibles gratis, or at a low price, have been forbidden in *Hungary*, by a formal decree, dated at Buda, 23d December, 1816.

PRUSSIA.

We are glad to learn (says a London paper) that the Prussian Council of state have decided, by a large majority, in favor of an unrestrained freedom of commerce throughout the Prussian dominions.

It appears from a recent statistic work that the population of Prussia contains 9,822,000 inhabitants, exclusive of the army.

SWEDEN.

Stockholm, May 13.—A royal decree of the 30th of April, ordains:

1. From the 1st of October, this year, all sales of prepared coffee in inns, hotels, coffee houses, taverns, and all the public places, at fairs and at auctions, as well in the towns as in the country, are prohibited, under a penalty of 10 rix dollars for the buyer and seller.

To prevent fraud, which might be occasioned by the use of what is called Swedish coffee, this, and all other substitutes, which in look and taste resemble real coffee are included in this prohibition.

2. All use and sale of foreign wines, known by the names of Champaigne, Burgundy, Canary, Malmsey, Sack, Cape or Tokay, as well as all foreign liquors, spirits, brandy, cider and beer, are entirely prohibited, and to cease from the 1st of January, next year.

Whosoever after that time shall be convicted of the forbidden use or sale of the above articles, shall pay 3-3d rix dollars, so that the buyer and seller are each for himself to pay his penalty.

SPAIN.

The Spanish navy is in a deplorable state. The officers and men have been paid little or nothing for six years—the former are compelled even to wash their own clothes; yet *Ferdinand* has issued a regulation to prevent the "scandalous desertions prevailing in one of the marine divisions."

Many conspiracies are spoken of in Spain. Ar-

rests are exceedingly numerous. Many are put to death. And nearly a famine prevails. Gen. Milans, at the head of a strong party of guerillas, threatens a terrible retaliation if certain state prisoners are injured, on the persons of the monks of Catalonia.

Rumors had reached England that Spain was in a general insurrection—even at Madrid. The execution of gen. Lacey had been ordered by the king, but his officers were afraid to put him to death.

Spain is endeavoring to negociate a loan in Holland.

PORTUGAL.

At one moment we are told that there will be a war between Portugal and Spain—and at another that Portugal is to be ceded to Spain for an indemnity in America—and at the next both reports are doubted or denied. It is certain that they are disposed to quarrel; each prefering a long list of grievances. The allied powers have interfered—see "state papers," above.

ITALY.

Letters from Palermo state, that in consequence of an earthquake, the sea had retired a great distance from the shore, that Ætna had opened six new craters, and that a village in the environs of Nicolosi had been overwhelmed by the lava.

AFRICA.

Three Algerine cruizers were spoken in the Mediterranean in April.

Lieut. Campbell is proceeding on his voyage of discovery—to explore the Jobila, or Niger. He had arrived at the head of the river Nunez, whence he was to cross the mountains towards Bammakoo.

Two *Tunisian* corsairs appeared in the British channel about the 20th of May—one carrying 26, the other 18 guns. They captured the Hamburg ship Ocean, from Charleston for Hamburg, and a vessel belonging to Lubec. The prizes were recaptured and one of the corsairs taken by the British—and three vessels had sailed in different directions after the other, which was chased by the Ganymede frigate, but escaped for that time. The underwriters at Lloyd's had refused to make insurances on vessels from Holland and the Hanse Towns, in consequence of the presence of these cruisers.

A report had reached London that the British vice-consul and other British subjects, &c. had been murdered at Algiers. A Danish frigate, laden with naval stores as presents to the dey, has sailed from Copenhagen.

THE BONAPARTES.

Napoleon remains at St. Helena—"sulky," as the English say, because he will not kiss the hand that smites him.

Lucien has put the allied sovereigns in a trepedation, by asking leave to embark for America; which they have refused, in violation of every principle of right and justice.—See *state papers.*

Joseph is quietly settled down in New Jersey, and is becoming a very good farmer.

Jerome has just purchased a large estate two leagues from Vienna.

Eugene has obtained the principality of Eichstaedt, and will reside thereon.

BRITISH AMERICA.

There was ice half an inch thick at Quebec on the nights of the 15th and 16th of June. But from those dates to the 26th, the thermometer was frequently above 80.

The Hudson Bay and North West companies have not yet made peace! They have frequent little battles.

FLORIDA.

We have accounts that may be relied upon (we believe) informing of the capture of *Amelia* island, without opposition, by gen. McGregor, on the 1st of July. Not a single gun was fired by either party. Hundreds were flocking to his standard, and he was immediately to proceed to St. Augustine, which, it was expected, would also fall into his hands. A naval force co-operates with McGregor.

The Washington City Gazette gives a report that the United States are to have the Floridas for 8 millions of dollars. This sum would be very convenient for Ferdinand—for that which, though of great value to us, is an annual loss to him.

BRAZIL.

A letter dated the 25th May, from Pernambuco, is published. It says that the patriot army had retired to the interior, and that on the 22d the town was taken possession of by the royalists without opposition, and business was resuming its former character. These facts are confirmed in various way—*Martins*, late at the head of the revolutionary government, is a prisoner. Others of the patriots have killed themselves. Another account says that Martins had escaped—and that the patriots fought two battles with the royalists before they gave up the city.

"SPANISH" AMERICA, &c.

The privateer Regent has captured off Cadiz and sent into Buenos Ayres, the Philippine East India Company's ship Triton, of 800 tons burthen, and carrying 22 guns and 85 men, with a cargo worth a million of dollars. The Regent had 10 guns and 105 men. The Triton fought two hours and a half before she surrendered. The prize was discharging at Buenos Ayres, where several very heavy privateers were fitting out.

By an arrival from Havana we have a report that the Spanish frigate Sabina had captured one patriot privateer and driven another ashore, in the Gulph of Mexico.

The captain of the brig that, in conjunction with the frigate, fired upon the U. S. schooner Firebrand, was lately tried by a court martial at Havana and broke. The captain of the frigate had been sent to Spain for trial.

MEXICO.

We have a detail of gen. Mina's proceedings—so far they are fortunate. He landed, as has been been observed, at Soto la Marina, on the 19th April—the royal troops fled, and he was joined by 400 men of the country. He left a garrison and marched for *New St. Andero*, the capital of the district, containing 5000 inhabitants, where he was received with acclamations, and immediately recruited 400 men more. He established a local force and distributed 2000 stand of arms among the people, who brought him immediately 6000 fine horses, with which he mounted his whole force and left the surplus horses in depot. He was just about to march in search of the royalists. "The district of New St. Andero, (says these accounts) borders on the sea coast and extends north to the Rio del Norte; the town is on the southern extremity of the district, and forms part of the ancient intendancy of St. Louis de Potosi—the mines of St. Louis de Potosi, Catorci, and Sieetecas, are under the same intendancy; and since the revolt, the products have been conveyed part to Tampico, part by St. Andero and Soto la Marina, and by sea to Vera Cruz, as the interior communication has been interrupted. The mines of Catorci, alone, produce annually five millions of dollars."

PROCLAMATION.

Xavier Mina, general in chief of the auxiliary army of the Mexican Republic.

Spaniards, soldiers of king Ferdinand. If fascination has made you the instruments of the passions of a wicked monarch or his agents, one of your countrymen, who has consecrated the most valuable part of his life to the good of his country, arrives to liberate you, without any other interest than that of the glory of promoting the cause of truth and justice.

Ferdinand VII. notwithstanding the sacrifices which Spaniards have made for him, oppresses Spain more cruelly than the French did when they invaded it; the men who most labored for the restoration and liberty of this ungrateful wretch, are now loaded with chains in dungeons, or fly from his cruelty. Serving then such a prince, you serve the tyrant of your nation, and by aiding his agents in the new world, you degrade yourselves to the rank of executioners of a people, the innocent victims of a greater cruelty than that which the Spanish people suffered, on account of the same principles, at the most glorious epoch of their history.

Americans, soldiers of king Ferdinand.—If force keeps you in slavery, and compels you to pursue your brethern, it is time that you should be delivered from such a shameful situation; a single effort will now be sufficient to deliver you from the yoke under which you are bowed down; and to elevate you to the dignity of men, of which you have been deprived for these three centuries. Unite yourselves with us, who have come to give you liberty, and with no other view than the glory which follows great actions. The precious soil which you possess, should not eternally remain the patrimony of despotism and rapacity; do not oppose the career of your destiny; if you were to disregard this opportunity, you would aim only to frustrate the views of Providence, which now grants you the proper moment to exchange subjection and misery for independence and prosperity. What sad experience has ancient Spain undergone—and what sad lessons have you received from bad Spaniards, who, to the disgrace of the good, have come here to subjugate you, or to enrich themselves at the expence of your degradation.

If there are any among you who make common cause with them to oppose us, through apprehension, interest, or ambition, abandon them; detest and even destroy them: they are worse than the tyrannical chiefs with whom they are united, while they are so degenerate as to sacrifice their most sacred duties to such disgraceful passions.

Spanish and American soldiers.—Leave such vile chiefs and repair with us to the camp of glory, where waves the bright standard of liberty; you shall be happy by contributing to the liberty of this country; the laurels that shall encircle your brows, acquired in defence of our just cause, will be an imperishable reward, superior to the treasures of the universe.

Head quarters, Soto la Marina, 18th May, 1817.

XAVIER MINA.

General commanding the auxiliary army of the Mexican republic.

CHRONICLE.

INDIAN AFFAIRS.

Milledgeville, June 24.—The annexed documents furnish authentic information respecting the present state of our affairs with the Indians below; and, also the particulars of a late successful attack on two of their marauding parties, by a small detachment of volunteer militia. The frequent irruptions of these savages into our territory for some months back have excited very general alarm among the defenceless inhabitants of our southern frontier, many of whom have abandoned their homes and fled to the interior for safety. The executive of Georgia unwilling to rely any longer on the promised assistance of the national government, which has probably been delayed by the peculiar situation of the war department, has issued orders to general Floyd, requiring him to call into service, from any part of his division, a sufficient force to ensure the protection of the frontier settlements exposed to danger and the effectual chastisement of all future marauding parties of Indians. From the late insidious attempts of the Spanish government to stir up the western savages against us, we have a right to attribute the persevering hostility of the Florida Indians to some such improper interference. The artillery company from Charleston, which was stated to have been stopped at Creek Agency, has, we learn, descended Flint river, and arrived at Fort Scott.

Extract of a communication from general Floyd, commanding the 1st division of Georgia militia, to the executive of this state, dated.

ST. MARY'S, 5th June.

"Your letter of the 29th April affords ample proof of your prompt attention to the unsettled and perilous situation of the southern frontier, bordering on the savages—and I yield cheerfully to both inclination and duty in apprizing you of such occurrences in this quarter, as may have a tendency to involve the interest and public welfare of the state.

"A copy of major Bailey's report to me of a late affair with the Indians is forwarded to you. The misconduct of evil disposed persons on both sides, has produced a state of things worse than open war with our red neighbors, which requires a reciprocity of vigorous measures for the restoration of order and tranquility to the respective frontiers.

"I have just received information of a party of Indians having, on the 30th ult. entered the neighborhood, and in open day light took the cattle from Rollinson's pen. Such is the state of alarm, that many families have broken up."

Major Bailey's report to gen. Floyd.

CAMDEN COUNTY, 28th May.

"I deem it expedient to inform you, that on the 20th instant I left Trader's Hill, accompanied by twenty four volunteers, in pursuit of cattle lately driven off from this frontier by a party of Indians. We took their trail, and followed it to where the Maccasooka path crosses the Suannah river. When about a mile from the river, on the 22d, between seven and eight o'clock, P. M. we saw the light of a fire, which we made for, and found it to proceed from an Indian camp of from 5 to 8 men, who we had no doubt, were a party fitted out to do mischief, and then on their way for the frontier settlement. We attacked them at 11 o'clock the same evening, killed one man, and wounded others, who were assisted off by their comrades. At this camp, we got three horses and two guns. On the morning of the 23d we fell in with an Indian trail, which we followed a circuitous route, bearing for the big bend of St. Mary's—at 9 o'clock, P. M. of the 24th, we came up with them at a camp on the waters of St. Mary's river, and attacked them at day break the next morning, killed two, and wounded several. There were 12 or 15 in number. Here we got two

guns and sixteen horses, two of which belong to to our citizens. I am happy to state that not one of our party received any injury."

Extract of a letter from the Agent for Indian affairs to the acting governor of the state, dated the 10th instant.

Last night a runner from low down Flint river brought me a letter containing the following information:—"It seems a small parcel of the Uyselhee red people who reside on the Chatahoochee river, a tribe that has always been friendly to our government, and never one of them has been known to join the red stick party, were on a hunting excursion near the water of St. Mary's river, when in the night by moonlight a party of white people rushed upon them, killed one man, and wounded the other four badly—drove off all their horses, took their guns, and every thing else they could carry off from the camp. The four wounded men are now lying very bad, about sixty miles below here, not being able to proceed to their town on Chatahoochee. It is not known whether it was done by the white people that reside in the Spanish government, or in our own government.

It is very desirable to ascertain whether the mischief was done by the people of Georgia, or by those of East Florida. If by the latter, retaliation may be averted from our people by a timely representation of that fact to the chiefs of the town to which the injured party belong. The chiefs of the nation are to meet at fort Hawkins the first of next month, which will afford a fair opportunity of making explanation, if in the mean time you can ascertain the aggressors.—*Journal.*

The Bank of the United States has declared a dividend of *four per cent.* on the stock paid in agreeably to their charter—and they are said to have a *surplus* of profits of about 200,000 dollars more.

Fourth of July. It is known to many that a superb bridge is now erecting over the Susquehannah river, at a place called *Rock Run*—over which is to pass the main road between the cities of Philadelphia and Baltimore. On the 4th instant the chief stockholders and their ladies, about 150 in number, met at the romantic spot, and after viewing the work, delighted with the prospect of its early finish, partook of an elegant entertainment.

At a place called Ellington, in Connecticut, the people celebrated the day by drawing stone to enclose their burying ground—53 ox teams were employed, and a great deal of work was done by the willing laborers.

Another! A gallant youth *Wm. A. Lee*, a lieut. of the navy was lately killed in a duel. He was in his 21st year.

Gen. *Strong*, of the Vermont militia, has been presented with the sword voted to him by the legislature of New-York, in ample form. Particulars in our next.

Captain *Perry*, it appears, is about to retire from the command of the Java—on which the officers of that ship presented to him a most flattering address. It was signed by all the officers except the purser and surgeon, who were absent at the time the address was drawn up.

The *boundary commissioners* are on the lines between the United States and Canada, in pursuance of their duties.

Emigration. Very many passengers are ariving in vessels from Europe; in one of them 409 persons, none over 30 years of age, have reached Philadelphia from Amsterdam.

A number of French emigrants are about to form a settlement near the confluence of the Alabama and Tombigbe. Commissioners to select a spot have arrived at Mobile.

The Sabbath. It is noticed that for the *first time* in Louisiana, the storekeepers of St. Francisville on Sunday the 13th of June last, refused to do any business or sell a single commodity.

The number of children returned by the assessors of the city and county of Philadelphia, to be schooled by the county commissioners, is, 3,092.

The *Congress* frigate was about to sail for Port au Prince—as it is said for the purpose of demanding satisfaction in respect to an American seaman put to death there, some time ago.

Rapid sawing.—At the steam saw mill of Messrs. Stewart and Hill, in Baltimore, there is a circular saw, about four feet in diameter, chiefly calculated for cutting veneers. It runs through a log seven feet long and 21 inches thick, with ease, in less than two minutes—and two minutes more are sufficient to place the log in a proper position for another cut. Eight veneers are cut out of one solid inch. After the log is put on the carriage, the whole business of sawing is attended to by two boys.

Steam boats. It is remarked, and the remark is worthy of *serious* consideration, that the steam boats on the Hudson have been running *ten* years without a single person being injured by them. Here is a valuable assurance of their safety.

Died, at Baltimore, on the 31st. ult. in the 75th year of his age, *Henry Jackson*, esq. a gentleman well known in the history of the struggles of Ireland for freedom, and father in law to *Oliver Bond*. He was a most respectable and a good man, and a real friend of the human race.

Lieutenant Hoffman, of the navy. A number of citizens of Dutchess county, N. Y. of which Mr. H. is a native, have presented to him a service of plate in testimony of their sense of his gallantry and good conduct in *three* naval victories over the British, in the late war—which he very courteously received.

Liberality. A citizen of Massachusetts has made a donation of $20,000 to the General Hospital of that state.

Plaster of Paris—Notwithstanding the legislature of St. Johns, New Brunswick, have prohibited, altogether after the first of July inst. the exportation of plaster of Paris from that province, we are inclined to think, from what we see published in the New-Brunswick papers, that there is no great probability of there being a scarcity of that article in our market. At present plaster is not allowed to be brought away in any vessels except British bottoms. In consequence of which, it is stated in the above mentioned papers, that the town of St. Andrews has become the centre of an American conspiracy to evade the laws of that country and bring the public authority into contempt: that instead of the inhabitants aiding the revenue officer of that port in detecting and preventing the smuggling of plaster, all assistance is wholly denied to him; that he dare not go in the night to prevent its being taken away; and even in the day time the smugglers set him and his authority at defiance. His boat has been taken from him and made use of to carry the plaster off to wharves which the Americans are said to have erected on that island. From these facts it may be fairly inferred, that in despite of his majesty's collector, a tolerable supply of that article is likely to find its way to our ports.

[*N. Y. Eve. Post.*

NILES' WEEKLY REGISTER.

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Hæc olim meminisse juvabit.—VIRGIL.

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We are politely furnished with a very full, learned and interesting examination of the question, "Can congress constitutionally invest any of the public functionaries of a state with power to declare, "expound or execute laws for and in the name of "the United States?"—which shall be inserted as soon as we dispose of Judge Livingston's opinion, to be concluded in our next.

Navy of the United States.

The following is copied from the *National Intelligencer*, because it seems chiefly to have originated from an article that appeared in the *Weekly Register* of the 31st of May last—and for the purpose of offering some remarks upon it. The editors of the Intelligencer introduce the essay by observing—"The writer of the following essay has the merit of having opened a question which possesses interest enough to excite attention, even at a moment when indifference to the political interests of the United States prevails to too great a degree. Old as the subject is, we are not familiarized to the bold and enlarged view which he has taken of it. Perhaps many of our readers, whilst they acknowledge with us the force of Cato's reasoning, will with us refuse their assent to his conclusion in regard to the necessary extent of the American navy. But the question cannot be too maturely considered what policy in this respect the republic is to pursue—and we are glad to see the mind of at least one intelligent man duly alive to its importance."

A NAVY.

Is it understood to what extent in rearing a navy those called to the councils of our country conceive themselves impelled by public opinion? The president's inaugural address does indeed breathe a Roman spirit for the support of the rights and honor of our country, as well as salutary warning, that we should be "disregarding the faithful admonitions of experience, if we did not expect dangers from abroad, attempts to overset our government, to break our union, and demolish us as a nation:" but it does not clearly announce, that the only really efficient means to render abortive all such attempts, and secure ultimate tranquility, is to have the *most powerful navy in the world*. Most writers who have essayed upon this subject, seem, from some motive, to feel themselves under a necessity to speak with some caution, and to *limit* a navy for the United States according to their fancies. For my part, I must make free to say, that I hold such prospective limitations as idle, and the reasoning for it is as so much labor lost to the writers. Future legislators and generations *will* regulate this affair in their own way; and it is only for us profiting from the experience of the past, to lay a foundation to meet the probable future, and best promotive of the interests and the glory of our descendants. It has been somewhere written that a man may carve out his own destinies: apply this to nations, and if our now young children do not see the United States a leading, a controling power over the whole American continent, and an influential mediating power to Europe, it must be because the policy of their fathers had erroneously shaped the course of their destinies. We shall justly merit this reproach, unless it be the fundamental policy to bend all the energies of the nation to the advancement of a navy in the the ratio of the growing rescources—in thirty years a population of twenty millions, in sixty or seventy years forty millions, and so in progression. Is our country, *then*, either to crouch to a petty island, or still continue to hobble through inglorious defensive warfares, for violated rights? Such must be the case, unless some more efficient weapon be forged to strike with, than an army, fortifications and militia; these, from the necessity of the case, must form the *ad interim* measures of defence; but will to a degree, be superseded when our country's navy shall be so powerful as to look the navy of any nation into awe; so powerful, as to render an attempt at invasion a forlorn hope, so powerful, as to give due weight to the peremptory language, "that you shall no longer muster the crew of a *Yankee* merchantman upon the high seas, for the purpose of taking out all those you are pleased to call your own subjects." With such a navy, our successors will not hear among them the base-begotten, the lick-spittle phraseology of British tongues, "that the thing is right in itself."

No man can be so deaf to the voice of history, or so blind to the events of his own times, as to flatter himself with any rational expectation of enjoying more than short truces from indignities and spoliations, until our country possesses such a navy. But at the same time, it is not to be disguised, that in the progress of creating such a navy, our country will have many arduous conflicts to sustain, even to maintain the advance that is made. Such can be shown to have been the uniform spirit by which the political course of Great Britain has been directed, under every change of administration, for more than a century past, that it becomes morally certain that she will stir heaven and earth to prevent the navy of any nation from becoming formidable to her own. The great question now for the immediate decision of the people of the United States seems to be, whether they will determine to prepare themselves in good earnest for entering upon the conflict for the dominion of the ocean, or permanently acquiesce in that species of vassalage they have felt for the last twenty years. There is no other alternative for us. If the former, to use the emphatic language of the great Patrick Henry, "we must fight." If the latter, proceed not a step farther in building a navy. Let our limitation be a *respectful* one. "Twenty ships of the line and the requisite number of frigates," (as the Baltimore Weekly Register of May 31, proposes,) would give umbrage, bring war upon us, and avail but little as an instrument of defence or annoyance. It would be found, that more must be provided against the next war. Our present force seems sufficient to overawe the Barbary states: and will not bring war upon us, provided we submit, with a good grace, to be impressed and plundered at pleasure. The Marshal de Bellisle, a minister to Louis the fifteenth,

has said, that "France has often attempted to create a navy, and as often been arrested in her progress by the Britons. They have seized our ships in full peace, and have not waited for war to commit their hostilities upon the sea. It is, that the cabinet of St. James would much rather pass for unjust, than run any hazard of losing the superiority of their navy. A king of England would soon be dethroned if he was to be obstinately faithful to his treaties of peace with France. It is understood, that a treaty shall no longer subsist than whilst France forbears to build ships." The events which have passed in review, as it were, before our own eyes, that verify the justness of this delineation of the British character by the French minister, would form a long catalogue. Only look at the seizure of the Spanish treasure ships; the attack upon Copenhagen; the seizure of the Danish fleet: all done in "full peace." The system of impressment itself, as exercised, towards us, grows out of the very same principle, that the superiority of the British navy must be maintained *per fas et nefas*, by all means whatever, just or unjust. *Yankees* are good seamen, to be found every where, and are a never failing resource for the supply of his majesty's ships, when in want of men. It is only to feign mistakes, and all goes well—with the "Boston stamp." How comes it that the mistakes could not be discovered before, as well as after the breaking out of the war between Great Britain and the United States? Was there any additional evidence of Americanism or Yankeeism given after the commencement of the war, to the pious ministry or honest captains of his majesty's ships, that so wrought upon their tender consciences, they could not find in their hearts to compel brother to slay brother; but, in order to make due atonement for their own previous wrongful act *most magnanimously discharged them—to prison?* Thus treating as the lawful captives of war, those whom they had captured in peace, and who would not have been in their power, *by their own confession*, without their own previous unlawful act. (See Mr. Beasly's correspondence in London.)

Truth is not calumny. There are injuries that may be forgiven, but ought not to be forgotten. I have not brought forward these transactions with any view of now exciting angry feelings. Long may the two nation continue in their now apparent friendly harmony. But no man is justly censurable for warning his countrymen to provide against the future, by recurring to examples of the past. There is nothing that augurs the smallest change of system in the British councils. She has hitherto, it is believed, refused to arrange upon the subject of impressment. The prince regent's proclamation, immediately after the affair of the frigates Chesapeake and Leopard, remains in full force; and only awaits the signal to be again and again put into execution. Yet a little while and a renewal of all those outrages and chicaneries, too sickening to be enumerated. They are consigned in the annals of the age, and must go down to our successors for retribution. *It is for us to shape the course of their destinies.*

The cost of such a navy must be of no consideration. Dollars and cents must not be put in the balance against national rights and honor, has been often said. Let not my countrymen be appalled at at the magnitude of British debt. It is an error to impute more than a very inconsiderable portion of it to her navy; and if the navy had credit for all the wealth it has brought into the nation, legally and illegally, that portion would be greatly diminished. It is to an unexampled extravagant internal administration; to the vast armies maintained and subsidised in her continental wars; to the wars themselves, is to be imputed the gigantic size of her debt. A powerful navy to the United States would almost wholly supersede an army, fortifications, and militia; and, above all, be a preventative finally to wars, unless we too become ambitious and mad after foreign conquest. Besides, it would be the only indissoluble cement to the union of the states. No more Hartford conventions would be heard of.

History furnishes many examples of despotic usurpations through the instrumentality of armies. None is recollected through the means of navies alone. A navy cannot long enforce the maintenance of itself like an army. It cannot serve as a body guard to a tyrant. *Delenda est Carthago.* The thunder must be hurled upon the coast of the aggressor.

CATO.

REMARKS ON THE ABOVE.

Notwithstanding the introductory remarks of the editors of the *National Intelligencer*, to be respected as an index to the character of the writer, to us anonymous, it was not easy to conclude whether the article was from the pen of a friend to the navy or not. It is true, that the author very ably urges many facts exceedingly well calculated to rouse the proud feelings of an American, and excite a spirit to resist a repetition of the wrongs we suffered so long and so patiently, anterior to the late war, from *abroad;*—yet his views are so "bold and enlarged" as to seem almost as well designed to alarm us for safety, at *home.* But, we have concluded (and whether our conclusion is worth any thing or not, is "another affair") that "Cato" *is* a friend of the navy, and so we shall treat him in our remarks; believing, however, that his prospects are neither suited to the *means* nor the *wishes* of the present generation—and "future generations," to use his own language, "will regulate this affair for themselves."

We do not regret that such ideas are spread before the people—where reason is free to combat error, good must result from the discussion of a question of such mighty importance. The general opinion seems to have been that a navy for the United States should have a *defensive* character—"Cato" would make it defensive by giving it a power to be *offensive*—"to hurl its thunder on the coast of the aggressor"—pointing to Great Britain as being most likely to molest us; and, indeed, as the only nation that has *seamen* enough to do us great harm on the ocean.

"Cato's" opinion that the raising of a respectable (not "*respectful*") naval force would give umbrage to England, is warranted by the uniform practice of the government of that country; and I certainly believe that the building of twenty ships of the line in the United States would be considered by it as a "*just cause*" for war—but it is not so easy to suppose that they would deem it *expedient* to wage it. The loss of a naval battle at sea, between fleets of heavy ships, would sink the national spirit much more than the fight of *Mount St. John* exalted it; and in the present state of things probably cause a revolution. They managed to get over their defeats in the late war with us pretty well, by systematized deception and flagrant falsehood; but this would not do if such a fleet as that wherewith *Nelson* so easily mauled the unskilful French and Spaniards at Trafalgar, were beaten. Such an event, as the lightning of heaven rives the rugged oak and causes all creatures near it to shrink with terror and dismay, would pull down a ministry and fill the people with consternation; and that minister who did not

calculate on this as a *possibility* (we having the ships proposed) would deserve to lose his head for treason against common sense. It was clearly ascertained that out of their "thousand vessels of war," the British had none able to catch *and* fight our frigates; and they are not now to be informed that they are in the same dilemma as to our ships of the line. It is the universal opinion of those who ought to know, that our 74's may avoid *or* fight, barring accidents, any ships that float. It is true, Great Britain might take pattern by them as she did of our frigates; but still she wants, and must want under her system of *impressment*, high spirited *freemen* to put them upon an equality with our's. I, therefore, conclude, that although the building of these ships by the United States would *offend* Great Britain, she would hardly think it expedient to resent the *affront!*

The British are intollerably jealous of our commerce and *commercial means*. Every body recollects what a terrible fright they appeared to be in last summer, when it was reported that Naples was to cede the island of *Lampedosa* to us, for a naval post in the *Mediterranean*. They have lately had a like rumor that we were to have one somewhere in the *Baltic*. This *modest* people, who have ports and stations every where, have imputed to us something like *hostility* for our commerce on our own rivers. "*The designs of the Americans on the Ohio and Mississippi, are every day more apparent*," said a ministerial writer, "fanning the embers" of the late war. But still, we think, they would hazard too much in wantonly compelling us to fight them again. Another war would be carried on very differently from the last, and totally sever the bonds that unite us to them by their MANUFACTURES—*and well do they know it*. But and if it shall so happen, their jealousy and envy making them blind to their interest, we believe that the naval force proposed would be sufficient to cause our coasts to be respected, as well as occasionally to alarm some of those of their most valuable colonies, and thus distract their attention and afford full opportunity for our frigates and lighter vessels, public and private, to root up their commerce, on which they so much depend for every thing: for we totally reject the idea that an American fleet of twenty sail of the line is to be kept blockaded by *any* force that Great Britain can send and maintain on our coast for that purpose. Such a fleet would go out; and, like our frigates, having sea-room, go where it pleased, with power and *incalculable effect*. There would be no more of dropping one ship in the *Chesapeake*, another in the *Delaware*, and a third off *Sandy Hook*, to seal up our ports. If, with the faint prospect of gain that the late war afforded, and the great risk of person and property that attended the business, we captured not less than *two thousand five hundred* British vessels in its short period, many of which, however, were lost to us by recapture, or the necessity of destroying them to prevent their falling into the enemy's hands,—how great would be the annoyance under the new order of things? We should hardly have less than 150 stout privateers always at sea—*if seamen could be got to man them*.

Nothing is further from our wish than to limit the power of the republic to redress its wrongs—but a remedy may be as bad as a disease. We do not only count the "dollars and cents" that a navy, such as "Cato" aims at, would cost us; but because we fear that if it did not lead to the prostration of freedom at home, it might, at least, render us tyrants abroad. We have always thought that the petition "LEAD US NOT INTO TEMPTATION," WAS amongst the wisest ever offered to Deity. With a navy so powerful, we should seek out for *colonies;* and, indeed, they would appear to be necessary to it—we should want *stations* for our ships in the West, and, perhaps, even in the East Indies, to "protect our trade," *and so forth;* and, inch by inch advancing, become fettered with alliances and immediately concerned in all the affairs of the old world, to the total subversion of the present purity and simplicity of government and manners. We would rather that our own country was surrounded by a wall of brass, as high and as broad as the mightiest of the snow-covered *Andes*, than behold her stretching her arms over the earth and sea, like England, to rake the ashes, as it were, of the widow's cottage for the little bit of gold that composed the ear ornaments of its late inhabitant, immolated by avarice. When that day comes, our country will have lost her freedom—the tillers of the soil will not then be its lords—the *ballot box* will have lost its virtue; and misery have taken the place of the present ease and independence of the people. Every thing will be made to bend to the wishes of a few, and all the *meannesses* and *crimes* of *commerce* will be superadded. Witness *England* and *Holland*—what is it they have not traded in, and supported by their navy, that they could make money by? The lives of men have been things of *calculation* with them as much as hogsheads of molasses. Witness also the conduct of our own merchants—before the war, they (as a body) would have consented to have paid a *tribute* to England, under her orders in council for levying it, for liberty to navigate the high seas; and after war was declared they were base enough to seek protection under British licenses, and extensively become smugglers and dealers in goods known to be smuggled. The often told story of the Dutch trampling on the cross at *Japan* for liberty to deal there, is a perfect type of the *spirit of trade*, whose satellites are cruelty, perjury and forgery. How strange is it, that men apparently honest and correct in their dealings with individuals, feel no compunction at such things if committed *in the way of trade* against governments or a people at large! We suppose their *arithmetic* teaches them that a crime may be so much subdivided as to pass for nothing! I have no doubt that many members of the English East India company were taking the sacrament with the apparent sanctity of angels, while *Warren Hastings* or lord *Clive* were depopulating India of *thirty millions* of harmless and inoffensive men, women and children, in subservience of their *commercial views*. The merchants have influence enough, through their command of the floating wealth of the country, *as we well know by rueful experience;* and of all classes they are the last whose influence should be increased—as it would be by the establishment of a navy commensurate with "Cato's" ideas. Of every species of sectarian power, may heaven defend us against that of *traders!* The *Holy* inquisition is only another name for another thing, to produce a same general effect. And the last, perhaps, is the least mischievous of the two, because more limited as to its objects.

But the preceding may be considered as mere matters of opinion. Let us proceed to the root of the affair. Ships may be built in great numbers, but has "Cato" thought they must be also *manned?* How are the men to be got? By IMPRESSMENT? No. By *voluntary enlistments?* I very much question our capacity to man, in this way, "the twenty ships of the line and requisite number of frigates" proposed. The fact is, that in the late war there often was a real scarcity of seamen, and it was needful to trans-

fer them from the ships on the sea-board to those on the lakes. It is the practice, I believe, in all other countries where there is a navy, to impress seamen for it, in time of war—but a man might as well attempt to empty lake *Superior* with a horn spoon as to introduce it here, in the present disposition and state of the people.

In our last number on "Political Economy" we supposed that the seamen and half seamen of the United States might amount to 100,000 men: And, while we bear in mind that, through a decrease of commerce they also are rapidly decreasing, we shall admit it as the number that may be counted upon. I feel satisfied that the allowance is a large one; for it gives us one hand to about every thirteen tons of *all* our vessels, *every* way employed or unemployed.

Twenty ships of the line and the requisite number of frigates and smaller vessels would require seamen and ordinary seamen about as follows:

For 20 74's including petty officers	600 each	12,000
20 44 gun frigates	400	8,000
20 18 gun sloops of war	150	3,000
other vessels and flotillas, boats and barges, on the lakes and elsewhere		2.000
Men		25,000

The privateers, under the protection of such a fleet, would employ not less than 12,000 men—making a total for military purposes of 37,000. A force that cannot be raised by voluntary enlistments; for the coasting, bay and river trade would employ, even in time of war, (protected as above) not less than 30,000, and the merchants require a large number. As either of these three pursuits would afford higher wages than the United States could give to man their ships, and when we recollect also the charms of *variety* to the sailor, we must conclude that our present means are inadequate to support the force just mentioned; and they will become less so, if we do not keep a sharp look out to revive our commerce. Our seamen are constitutionally brave and patriotic; but it is really counting a great deal on these to suppose that one of every three men would freely embark and *continue* in the military service of his country. It cannot be counted upon—the most sanguine cannot hope for it.

We have thus, by matters of opinion and some things of fact, endeavored to maintain the ground we took, as politically and morally the ultimate extent, to which we, *at this time*, ought to desire or expect to go. And I cannot see any impropriety in "limiting" our views by the nature of things. It would appear rather to do good by giving us a point to look at.

Internal Navigation, &c.

The *fourth of July* was celebrated at *Utica*, N. Y. *by commencing the excavation that is to unite the great lakes with the Atlantic.* On this interesting occasion the following address was delivered by J. Hathaway, esq.

"*Fellow-Citizens*—We have assembled to commence the excavation of the Erie canal. This work, when accomplished, will connect our western inland seas with the Atlantic ocean. It will diffuse the benefits of internal navigation over a surface of vast extent, blessed with a salubrious climate and luxuriant soil, embracing a tract of country capable of sustaining more human beings than were ever accommodated by any work of the kind. By this great highway, unborn millions will easily transport their surplus productions to the shores of the Atlantic, procure their supplies, and hold a useful and profitable intercourse with all the maritime nations of the earth. The expence and labor of this great undertaking bear no proportion to its utility. Nature has kindly afforded every facility; we have all the moral and physical means within our reach and control. Let us then proceed to the work, animated by the prospect of its speedy accomplishment, and cheered with the anticipated benedictions of a grateful posterity."

Judge Richardson then broke the earth with a spade, and the laborers, amidst the acclamations of the people and the discharges of artillery, commenced the mighty work.

They then had a procession, oration and feast.

It appears that the first object of the commissioners will be to *perfect* and open a communication from Schenectady (and of course the city of New-York) to the Seneca lake. The western inland lock navigation company have already done much for this—they have removed rocks and trees from the beds of streams, straitened Wood creek by one half the length of its old channel, and dug two short canals and erected excellent locks, "faced with hewn stone, that may be pronounced stupendous works, which would do honor to any country in Europe." Thus they entered the Oneida lake and thence up the Onondaga river, &c. into the "lot of lakes," Onondaga, Cayuga, Seneca, &c. &c. in that country. In 1812 it was estimated that 1500 tons of goods passed annually through these locks—what must be the quantity *now*, seeing that immense tracts of land about these lakes, *then* covered with their native forests, are reduced to cultivation and teem with inhabitants? But though much has been done, much remains to do to complete this navigation, which the commissioners of the great canal will soon effect. It seems, however, that in pursuance of the whole plan, they will cut a canal direct from *Utica* to *Salina*, 69 miles, and so shorten the navigation by, perhaps, that distance, as we judge by the map. A water level between these two places may be maintained, and the cost is estimated at only 8000 dollars per mile. To conceive the importance of these things we must look at the map and see what a great inland navigation they will open—and success in them, which appears certain, will afford as well vigor as *funds*, to progress gradually towards lake *Erie*, and finish the great and glorious undertaking, by such routes and in such manner as *experience* shall dictate.

Lake Erie. A writer in the Albany Argus informs us of a very important harbor, just discovered, exactly half way between Buffalo and Erie, 45 miles from each. It is called Dunkirk. The form of the bay is nearly a semicircle, with a capacious channel towards the west headland of 12 feet depth, and on the east of 10 feet. Within the ledge is a spacious basin capable of containing 100 sail of vessels with from 12 to 18 feet water, and good anchorage.

A town is laid off here and will soon become a considerable place; as besides its advantages for the lake trade and the value of its harbor, the Casadago lake lies about 8 miles south of it, the waters of which are navigable for boats of five tons burthen, communicating with the Canawongo branch of the Alleghany river, leading to Pittsburg.

"To perfect the navigation, some obstructions of trees at the outlet of the lake require to be removed, which can be effected at a trifling expence. The west promontory being faced with high perpendicular rocks, washed at their base with the waters of the lake, is remarkably well situated for works of defence, and as a commanding site for a light-house

"In proof of the rising importance of this harbor, so essential to the safe navigation of lake Erie, we give this fact, that the last Chautauque Gazette details a list of *ten* vessels which arrived at, and of *three* which sailed from, Dunkirk, during the week preceding the 30th June."

The Alabama. The natural advantages of this country are daily developed. Cotton will be a great staple, and it can be carried by water from fort Claiborne to New-Orleans, for *four dollars* per bale. But the stopping place will soon be at Mobile, which probably will be a large city. In consequence of the great emigration, provisions have been very high—corn $5 per bushel! On the 26th of April it was selling at 2½, and flour at $20 per bbl. at fort Claiborne.

Cincinnati, Ohio, July 4. Singular arrival. Arrived at this port on Monday morning last, (30th June) a small schooner-built boat of about six tons burthen, 30 days from ROME, on the Mohawk river, state of *New-York!* The boat was conducted by captain Dean and four Indians;—passengers, two squaws and an Indian boy. It was a handsome model, painted in neat style, with two masts, and sails, and an appropriate flag. They sailed hence on the afternoon of the same day for the Wabash; their avowed object is to enter lands on behalf of their tribe, and then to ascend the Wabash to its source, cross over with their boat to the Miami, and return by the way of lake Erie. This boat left Rome on the first of June, passed into lake Ontario by way of Wood creek, Oneida lake and Oswego river, and after navigating the greater part of the southern coast of that lake, was conveyed round the falls of Niagara on wheels, eleven miles; then by the way of Buffalo, across the end of lake Erie to the mouth of Cataragus creek, and up it to a portage of eight miles and an half across to the head waters of the Alleghany river. It arrived at this place, after passing two portages amounting to nineteen and a half miles! During this time they were detained nearly ten days by head winds and rains.

These descendants of the forest, now wearing the habiliments and appearance of civilization and industry, manifested in their deportment that ingenuousness and dignity of mind which have characterised, in many instances, the savage of the forest, improved in a considerable degree by the hand of civilization. While gratifying the curiosity of several of our citizens, by taking them on board, and with a gentle breeze, sailing a considerable distance up and across the river, the following characteristic and appropriate toasts were given by one of the Indians, accompanied by the firing of his gun:—while on the Kentucky side, "The patriotism and bravery of Kentucky,"—while on the Ohio side—"Free trade and no slavery."

President's Tour.

The *Salem Gazette* represents the president's entry into Boston as equalling in splendor "an ancient Roman triumph."

The president, during his stay at Newport, visited the hon. *William Ellery*, one of the four surviving patriots of the revolution who signed the declaration of independence.

The bridge at Milton was fancifully decorated with green branches—over it an arch with the inscription, "Welcome illustrious chief." Here a great crowd of people received the president with acclamations, whilst the artillery announced his approach, with a national salute.

At *Lynn*, after being received with military honors, he was conducted to the hotel, where many ladies and gentlemen, previously assembled, were presented to him. As he left the hotel, a very large number of the inhabitants of both sexes and of all ages, drew up in two lines on the common, forming a lane extending from the hotel to the meeting-house, through which, with his excellency governor Brooks, and their respective suite, preceded by the committee of arrangements, he passed delighted on foot, and then ascended his carriage and continued his journey.

Whilst at the hotel, the following address was read and then presented to the president by the chairman of the committee, accompanied by a brief historical statement of the manufactures of the town.

May it please your excellency—The committee appointed for that purpose respectfully tender you the congratulations of the citizens of Lynn, upon your arrival at this ancient town.

It is with sentiments of patriotic pride and heartfelt pleasure that the inhabitants of Lynn enjoy this opportunity of beholding among them the chief magistrate of the union.

Elevated to your high and honorable office by the suffrage of a free people, in conformity with the principles of our excellent constitution, it is no less the duty, than it is the happy privilege of this people to pay their voluntarily respects to the man of their choice.

Whilst under foreign governments, the people are oftentimes obliged by royal mandates, to pay reluctant honors to their rulers, it is the singular fortune of Americans that they are free to act for themselves, and that in paying honors to the men of their choice, they are to acknowledge no other mandate than that of freedom.

Impressed by such considerations, the inhabitants of Lynn, known as a manufacturing people from the early settlement of the town, heartily congratulate you on the present peaceful and prosperous state of the country, and fondly indulge the hope that the blessings of liberty will be preserved, and that the arts, commerce and manufactures of the nation will be fostered and protected by your administration recently commenced under circumstances so auspicious.

Wishing your excellency a long continuance of health and happiness, we have the honor to be, with sentiments of the highest respect, your obedient servants,

R. W. TREVETT,
Chairman of the committee.

To which the president made an extemporaneous reply to the following effect:

The kind reception given me by the citizens of Lynn, has my hearty thanks.

It affords me pleasure that they so justly appreciate the principles of our excellent constitution.

It will be my faithful endeavors so to conduct my administration, as to realize their expectations; and the best reward of my exertions in the office lately conferred on me, will be the approbation of my fellow citizens.

At *Salem* he was received in great style, and welcomed by the select men to that "ancient town," in company with governor Brooks and a splendid escort, civil and military. Among the distinguished personages who surrounded him were the secretary of the navy, general Dearborn, William Gray, esq. judge Story, generals Swift and Miller, of the army, and Bainbridge and Perry, of the navy. When he arrived at the lines of Salem, he left his carriage and proceeded on horseback with the cavalcade. A fine arch was thrown over the bridge, dress-

ed with flags. The streets were filled with people and the windows thronged with "females in a pleasing uniform;" all was life and animation. At the head of Essex street the cavalcade stopped and the president dismounted and proceeded on foot in procession, under a continued salute of artillery, to the lodgings provided for him. A thousand children, neatly dressed, formed a part of the line through which he passed. In front of the house an address was delivered, to which he returned a short extemporaneous reply. After refreshments, he attended a military review, which was handsomely conducted. Returning to his lodgings, he dined with many guests he had invited, and then visited the Town Hall, which had been decorated with great taste and splendor, with festoons of oak, connected with bands of gold, &c. by the ladies—500 of whom were present, with whom he mixed in mutual delight, a band of music enlivening the scene. He was seated in a chair from Mount Vernon, marked with the name of *Washington*. The room was embellished with portraits of distinguished characters, and lighted up by a thousand variegated lamps, which numerous mirrors reflected with great effect. The ceremonies and amusements of the evening were concluded by a display of fire works.

On Wednesday the president visited the fort, and the Asylum for the Indigent; after which he partook of a collation with a large party at Mr. Silsbee's, the representative in congress. He then visited Fort Pickering, the Museum of the Salem East India Marine Society, and the Athenæum, and called on Benjamin Pickman, junr. esq. A large party dined with the president at the secretary of the navy's. After dinner the children from the Female Orphan Asylum were presented to him; and in the evening he honored with his presence a brilliant assembly at judge Story's.

On Thursday the president proceeded to the seat of col. Thorndike, in Beverly, where he breakfasted, and a large number of ladies and gentlemen of the town were introduced to him. On entering the town he was saluted by a discharge of artillery. On his return he left his public quarters, and removed to the house of the secretary. In the evening a large and brilliant party visited him.

Among the other private families visited by the president during his stay in Salem, were those of captain Stephen White, capt. Joseph Peabody, and Nathaniel Bowditch, esq. the distinguished mathematician.

"In the interview with the citizens of Salem (says the Register) the president engaged all hearts. The most brilliant circles were formed around him, and the rising generation received every token of his friendship with sure records on their hearts of that affection he displayed before them. The president, in the constant attention he paid to the importunate wishes of the citizens, discovered no symptom of fatigue, and gave no notice of the hours which were to limit our pleasures. The same cheerfulness, freedom, and presence of mind, appeared through all the services which each day required of him, and we were more reluctant at parting with him at the last hour, than we could have been at any one which preceded. When we see the entire face of society changed, all hearts united in a lasting friendship, and satisfaction every where proclaimed, we are astonished at an event, which our best hopes for human nature did not allow us to contemplate even for ages yet to come."

He passed Friday chiefly in a retired manner, attending to various matters of business. He left the town the next morning (July 12) at 7 o'clock, being taken leave of by the committee of arrangements, in a very respectful manner, to whom he expressed himself highly gratified by the attentions that had been shewn to him. Besides the cavalry, he was escorted by a company of truckmen, dressed in white frocks, who volunteered their services on the occasion, in token of their respect for the chief magistrate, and their respectful recollection of his visit. The scene was novel and produced a highly agreeable effect.

He arrived at *Ipswich*, at 9 o'clock for breakfast. Here, also, he was received in form. The bridge was decorated, and a band of music near it played national airs as he passed. Having refreshed himself, and received the visits of the people, escorted by a regiment of cavalry and great cavalcade of other citizens, he set out for Newburyport.

We are compelled to stop our journal for the present and suffer also several addresses and replies to lie over for our next. At our last account, the president having visited Portsmouth and Portland, was on his way to lake *Champlain*.

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The president's answer to the address from the corporation of Harvard university.

Sir—I am deeply impressed with the distinguished attention with which the president and fellows of Harvard University have been pleased to honor me on my present visit. Nothing is more interest to my own mind, and nothing can be more important to our common country, than the cultivation of science and liberal literature;—The principal support of a free government is to be derived from the sound morals and intelligence of the people; and the more extensive the means of education, the more confidently may we rely on the preservation of our public liberties. Whatever doubt may once have been entertained upon the subject of stability of a republican government, and of its capacity to promote the public interests, the progress of our own, must now have satisfied the most sceptical mind, and awakened the strongest conviction of its energy and excellence.

The venerable university, over which you preside, has long been a great ornament of our country. It seems exceedingly well adapted, in its organization, to give the best instruction. It has nurtured in its bosom many of those, who by their patriotism, their piety and their learning have conferred lasting benefits on mankind. Most sincerely do I wish that it may continue to be a public blessing, and, under the smiles of Providence increase in usefulness.

An institution, which endeavors to rear American youth in the pure love of truth and duty, and while it enlightens their minds by ingenuous and liberal studies, endeavors to waken a love of country, to soften local prejudices, and to inculcate christian faith and charity, cannot but acquire, as it deserves, the confidence of the wise and good.

You do justice, therefore, to my feelings in believing, that such an institution must possess my highest regard, and that I shall always take a lively interest in its prosperity. JAMES MONROE.

To the Rev. president Kirkland.

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Answer of the president of the United States to the address of the minority of the legislature of Massachusetts, &c.

To Henry Dearborn, Benjamin Austin, Thomas Melville, William Little, Russell Sturgis, John Brazer, Jacob Rhoades, and *William Ingalls,* Esquires.

I have received with great satisfaction the very friendly welcome which you have given me on the part of some of the members of the legislature of

Massachusetts, and of others, citizens of Boston, who had deputed you, to offer me their congratulations on my arrival in this metropolis.

Conscious of having exerted my best faculties with unwearied zeal, to support the rights and advance the prosperity of my fellow citizens, in the various important trusts with which I have been honored by my country, the approbation which you have expressed at my conduct, is very gratifying to me.

It has been my undeviating effort, in every situation which I have been placed, to promote, to the utmost of my abilities, the success of our republican government. I have pursued this policy, from a thorough conviction, that the prosperity of the whole American people, depended on the success of the experiment which they have been called to make. All impartial persons now bear testimony of the extraordinary blessings with which we have been favored. Well satisfied I am, that these blessings are to be imputed to the excellence of our government, and to the wisdom and purity with which it has been administered.

Believing that there is not a section of our union, nor a citizen, who is not interested in the success of our government, I indulge a strong hope, that they will all unite in future, in the measures necessary to secure it. For this very important change, I consider the circumstance of the present epoch peculiarly favorable. The success and unexampled prosperity with which we have hitherto been blessed, must have dispelled the doubts of all who had before honestly entertained any, of the practicability of our system, and from these a firm and honorable co-operation may fairly be expected. Our union has also acquired, of late, much strength. The proofs which have been afforded, of the great advantages communicated by it, to every part, and the ruin which would inevitably and promptly overwhelm, even the parts most favored, if it should be broken, seem to have carried conviction home to the bosoms of the most unbelieving. On the means necessary to secure success, and to advance with increased rapidity, the growth and prosperity of our country, there seems now to be but little, if any, difference of opinion.

It is on these grounds that I indulge a strong hope, and even entertain great confidence, that our principal dangers and difficulties have passed, and that the character of our deliberations, and the course of the government itself, will become more harmonious and happy than it has heretofore been.

Satisfied as I am, that the union of the whole community, in support of republican government, by all wise and proper measures, will effectually secure it from danger, that union is an object to which I look with the utmost solicitude. I consider it my duty to promote it, on the principles and for the purposes stated; and highly gratified shall I be, if it can be obtained. In frankly avowing this motive, I owe to the integrity of my views to state, that as the support of our republican government is my sole object, and in which I consider the whole community equally interested, my conduct will be invariably directed to that end. In seeking to accomplish so great an object, I shall be careful to avoid such measures as may by any possibility sacrifice it. JAMES MONROE.

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Answer of the president to the address of the Cincinnati.

To his excellency governor Brooks, president of the Cincinnati of Massachusetts.

SIR—The affectionate address of my brothers of the *Cincinnati*, awakens in my mind the most grateful emotions. No approbation can be more dear to me, than that of those with whom I have had the honor to share the common toils and perils of the war of our independence. We were embarked in the same sacred cause of liberty, and we have lived to enjoy the reward of our common labors. Many of our companions in arms fell in the field before our independence was achieved, and many, less fortunate than ourselves, lived not to witness the perfect fulfilment of their hopes in the prosperity and happiness of our country. You do but justice to yourselves in claiming the confidence of your country, that you can never desert the standard of freedom. You fought to obtain it, in times when men's hearts and principles were severely tried; and your public sacrifices and honorable actions are the best pledges of your sincere and devoted attachment to our excellent constitution. May your children never forget the sacred duties devolved on them, to preserve the inheritance so gallantly acquired by their fathers. May they cultivate the same manly patriotism, the same disinterested friendship, and the same political integrity, which has distinguished you, and that unite in perpetuating that social concord and public virtue on which the future prosperity of our country must so essentially depend. I feel most deeply the truth of the melancholy suggestion, that we shall probably meet no more.—While, however, we remain in life, I shall continue to hope for your countenance and support so far as my public conduct may entitle me to your confidence; and in bidding you farewell, I pray a kind Providence long to preserve your valuable lives for the honor and benefit of our country. JAMES MONROE.

Foreign Articles.

ENGLAND, &c.

Mr. Manners Sutton is elected speaker of the house of commons in the place of Mr. Abbott, resigned. The name of the latter has been changed to lord Colchester, and it is understood that he is to receive a *pension* of £4000 ($17,760) per annum during life, and £3000 for the life of his male heir. Pretty well for those days of *economy* and *retrenchment*.

The regent's ministers have caused him to send a message to parliament ordering a continuance of the habeas corpus suspension act, accompanied with papers which were referred to a secret committee in both houses.

The Irish are "turning the tables" on the English. A Dublin paper says there were more convictions in Lancashire, one county, than in the entire of Ireland.

The same paper says—"In *North America*, liberty and prosperity go hand and hand. We shall have some observations to make upon *Monroe's* noble document when more at leisure; suffice it to say, that their debt is diminishing, their trade increasing, their population multiplying and their liberties secure—Glorious America—may you be worthy of your high destinies!—It consoles the slaves of continental Europe, to contemplate the light of liberty which you hold out to the world.

On the 10th of June, American flour, at Liverpool, was brisk at 79*s.* and expected to rise. Am. 6 per cent. stocks 103½ *a* 104. Dollars 5*s.* 2½*d.*

Nearly 300 constables are in attendance on the trials for treason at London.

42,900 barrels of flour arrived at Liverpool from the United States in the *week* ending the 7th June.

Ireland is in a dreadful state for want of provisions

—even potatoes are at 13*d.* per stone. Crowds of starving people in many parts of the country, men and women, assemble and violently lay hold on any thing to eat. A military force is required in Wexford. In England it is not better—a London paper says—"The price of corn rose at the last market day. The distress and the number of the indigent daily increase in a terrible manner.

The *Democratic Press* says—"Our latest London papers are of the 7th of June. We have received our files so late that we are unable to present our readers with any extracts, nor are, upon a cursory view, able to state any news of any moment. Mr. Wooller, the editor of the *Black Dwarf*, a powerful opposition paper published in London, of which we have received several numbers, has been tried for two libels on the government generally, and lord Castlereagh and Mr. Canning in particular.

On one libel he was acquitted, on the other a verdict of guilty has been recorded, but a motion was pending on an affidavit for an acquital. Three of the jurors having sworn that they desired to attach to their verdict the following words, "As truth is declared by the law of the land to be a libel, we three are compelled to find the defendant guilty." It is also said that the whole of the jury were not in court when the verdict was given in.

Toasts!—By an Orange club, in Ireland—"The pope in the pillory; and may the devil pelt him with priests."

At a meeting in *Lancashire*, Eng.—"May the types of the reformers be cast into bullets, and their first impression made on the body of the proprietors!"

The corporation of the city of Dublin have voted their thanks to the majority in both houses of parliament, for their rejection of the Catholic claims.

State prisoners.—London, May 27.—Since the prisoners were arraigned, the elder Watson, on behalf of himself and the other defendants, addressed the following letter to lord Sidmouth:

"*Tower, May* 19, 1817.

"My lord—I am desirous to inform your lordship that I shall have occasion to subpœna several witnesses to be in readiness to be called upon as evidences on my trial, but not having the pecuniary means to defray the expence consequent upon their attendance, and bringing up three or four a considerable distance from London, I beseech your lordship will lay the same before the honorable the privy council, that they may take the same into their consideration, and be graciously pleased to afford me such relief as is consonant with the true spirit of justice, and the liberality of the British government; I beg your lordship will also lay before the honorable the privy council my total inability to defray the expence attending retaining council and paying that of my solicitor's charges, that they may also take this graciously into consideration for the same purpose; but I could wish that your lordship will condescend to inform the honorable the privy council, I do not intend to place myself in the extremity of pleading in *forma pauperis*, and hope they will not wish to reduce me to that condition. I beg further to trespass upon your lordship, to inform your lordship, that my fellow prisoners expressed a desire to me in court on Saturday, that I would ask of the honorable the privy council that we may, for our own preservation, be permitted to hold confidential communication, now that we have been arraigned and evidence collected against us—the propriety of the privilege I fear will not meet the concurence of the honorable the privy council; but having passed my word to make the request, I must leave it for the honorable the privy council to determine; under the impression that all the indulgence will be granted that the nature of our case will admit. I am, &c. James Watson."

The next day Mr. J. H. Addington sent a letter to the deputy-lieutenant of the tower, directing him to acquaint Mr. Watson, that lord Sidmouth had communicated his request to the privy council, who were of opinion, "that they would not be justified in advising a grant of pecuniary assistance to persons charged with crimes against the state, to enable them to provide for their defence, except recommending, that they should be furnished with subpœnas for their witnesses; and that as to the wish expressed by J. Watson, on his own behalf and that of his fellow prisoners, to have private confidential communication with each other, it will not be complied with.

Prince Regent's message on the state of the country.

Lord Sidmouth brought down the following message from the throne, respecting the country:

"George P. R.—His royal highness the prince regent, acting in the name on the behalf of his majesty, has given orders that there be laid before the house of lords, papers respecting the information received of the continuance of combinations, meetings and seditious practices, in different parts of the kingdom, similar to those to which his royal highness had already called the attention of parliament at the commencement of the session, and which are still carried on in such a manner, and to such an extent, as to excite the most serious apprehensions for the public tranquility, and to endanger the established constitution of the country. His royal highness, therefore recommends them to the immediate and serious consideration of the house."

The address was agreed to.

FRANCE, &c.

General *Savary* has arrived at Trieste. He appears to be in custody until they hear from Vienna, where his papers have been sent. Some of the "Bordeaux conspirators" have been condemned.

Paris, June 4. The duke of Orleans arrived at the palace yesterday morning, at 11 o'clock, and apprised his majesty that her serene highness the duchess, his lady, had presented him with a daughter!

SPAIN.

London, June 5. We have received the Paris papers to the 2d inst. They contain no domestic news of any interest. Spain, in her difficulties, has had recourse to a new system of finance, which is well calculated to produce a revolution. It consists of the seizure of ecclesiastical property, and a reduction of benefices to such a point, that an income of 20,000 reals (about 220*l.*) will be their *maximum*. The next is a property tax; and the third, which is meant to gratify the populace, and array them against the other classes, is the abolition of custom-houses in the interior, or what we should call excise offices.

Amusements are suspended and prayers offering up, in consequence of the approaching *accouchement* of the queen!

WIRTEMBURG.

Stutgard, May 15.—Prince Paul of Wirtemburg has addressed a letter to the privy council of the king, dated Hanau, 24th April 1817.

"Governments (says the prince) like individuals ought to be instructed by the experience of the age, when that of their ancestors is lost upon them. After three ages of existence the constitution of the hereditary states had been overturned by force; and after ten years of inquietude its place was sup-

plied by a constitution which gives security to no rights, and least of all, to the ancient rights of the country. Customs and oaths have been alike violated; every thing has been sacrificed to the interest of the moment. The former government, in the course of its negociations had recognized the rights of the people; but the present government has taken a position that dispenses with that recognition. It will find, however, from the opposition of the states, that this must be eventually impracticable, and that the ancient constitutional rights form the only anchor upon which the confidence of the people reposes. A constitution which is founded upon the interest of the government alone cannot possibly have any guarantee for its existence. If, after the adoption of the constitutional act, differences arise between the states and the government, the government being always the interpeter of its own work, will it not be at the same time both the judge and party? Who are they that have advised this work? Strangers;—men who have no interest in the welfare of the country or of the royal family—men whose heads are filled with the vain theories of despotism, which have been adopted and even publicly announced without having been communicated to the presumptive heir of the crown. To a constitution so framed and so adopted, I must inevitably refuse my consent; and I declare as the first of the male line, I never will recognize any other constitution save that which shall have been freely and legally agreed to by the assembly of the states.

If, however, the independence and liberty of the states do not, in giving its consent to the constitution, experience any of the shackels which it has been sought to impose upon them; if the states, in guaranteeing the principle of right from whence it set out in the commencement of its negociations, agree with the government upon the constitution, I shall adhere to it on my part, because individual rights ought to yield to the public good.

A copy of this letter will be despatched to the assembly of the states, in order that they may know the dispositions of the undersigned.

Prince PAUL, of Wirtemburg.

To this letter, the privy council of the king replied in substance as follows:

"*Stutgard*, May 20.—The letter of your royal highness relative to the new project of the constitution, contains accusations of so serious a nature, as well against the late king as against the present government, that we regard an answer to that letter as a great sacrifice, which we make to the express command of his majesty the reigning king." The reply then proceeds to state, with regard to the charge of the recognition of the rights of the people having been dispensed with, that the principle was expressly recognized and acted upon by the king when he laid down as a basis for the new constitution, not only the work commenced by his late father, but also all the parts of the ancient constitution which were still applicable. The rights and liberties of the states were not it says in any degree compromised by the manner in which that assembly accepted the constitution. The reply concludes with observing, that the council did not expect a renewal of that species of interference which had been formerly exercised by members of the royal family, under the title of "first of the male line" and of "heirs presumptive," and which tended so frequently to produce dissentions between the king and states. The present king it declares will not suffer an interference so injurious to the rights of the crown, and the relation between the members and the head of the royal family, will in future be regulated in a more precise manner.

NETHERLANDS.

It is said that regulations have been adopted in the Netherlands to prevent emigrations from Germany to America. Its object *appears* only to be to prevent them from becoming chargeable on the people.

The Journal of Ghent states a report, that the concordat is happily concluded between his majesty the king, and his holiness the pope.

GERMANY, &c.

The first trial of a "revolving steam engine" has been made at Vienna, and highly approved, for its simplicity, economy, and lightness. It occupies a very small space.

The people of Elberfield have solemnly bound themselves not to wear any stuffs of British manufacture.

RUSSIA.

An opinion begins to prevail in England that *Alexander* is not quite so "magnanimous and disinterested" as they supposed he was. His movements are viewed with jealousy, but they dare not quarrel with him. He is silently marching to the mastery of continental Europe, if he does not already possess it. Turkey has quietly ceded to him the rich provinces of Moldavia and Wallachia, and it is understood that he wants a slice from Austria, which she will hardly refuse; *Poland* is his own, *Prussia* a vassal kingdom—and the *Bourbons* are his slaves. But *we* feel very little interest in these affairs—if *Holy* alliances and *legitimate* kings are to prevail, we had rather that Alexander should be at the top of the wheel than any of the rest of them. He has more sense and virtue in his own person, perhaps, than the whole stock of all the rest of the legitimates, (not excepting the *learned* and *accomplished* Guephs) would amount to, collected.

FRENCH IN RUSSIA.

Mr. James, in his late travels in Russia, gives the official return of the losses of the French army up to the 19th of June, 1813, which amounted to

Killed and Wounded.

Generals.	*Officers.*	*Privates.*
10	144	123,411
	Prisoners.	
52	2891	186,250

ITALY.

Magnificent monuments of ancient splendor still continue to be discovered in searching the ruins of Pompeii. Behind the temple which was lately noticed, a public building has been found, built at right angles, 260 Neapolitan palms long, and 120 broad, and surrounded in the interior by a portico of 50 columns. It is ornamented with beautiful paintings, some of which are very valuable; as, among others, one which represents a warrior precipitated from a car drawn by a fiery horses. The pavement is a Mosaic, formed in part of small white and colored stones, and in a part, of large slabs of marble of various colors. Several inscriptions have been traced, that ascertained the use of this monument. One of them indicates that the right *luminum obstruendorum*, (a right established by the Roman laws preventing, in certain cases, neighboring proprietors from having lights or prospects over the contiguous estates) had been purchased at the price of several thousand sesterces. This discovery has afforded new riches to sculpture—several statues have been found. A *Venus*, five palms high, and a *Hermaphrodite*, may be placed among the finest spe-

cimens of the Greek chissel that have come down to us. Several distinguished artists think that in this *Venus* they have discovered one worthy to dispute pre-eminence with the *Venus de Medicis*. This opinion, inspired perhaps by the pleasure of discovery, may be before long discussed, as these precious monuments of sculpture are to be transported to the Musee Bourbon. In the same place have been found two arms of bronze, adorned with bracelets. The Chevalier Ardite, who directs the search, hopes to be enabled in a short time, to expose the whole extent of Pompeii, which will probably be a mine fruitful in objects of the fine arts—*French pap.*

ASIA.

The British frigate Alceste, with lord Amhest, late envoy to Pekin, on board, &c. was wrecked in the Straits of Gaspar, about the 18th Feb. last: no lives lost.

AFRICA.

The other Tunisian corsair that had been in the British channel, was captured. But both of them, after being conducted out of the *narrow seas*, were released. *It is British law that ships of war shall not hover on their coasts.* It is calculated to excite interesting reflections that they themselves have not observed this rule to others.

A Tunisian cruiser was near Corunna on the 9th of May. Two vessels had been seen on fire off there.

WEST INDIES.

The grand powder magazine, at Port au Prince, was struck with lightning on the 19th of June, and blew up—it contained 108,000lbs of powder, which of course did great damage. And on the 27th, an officer in a fit of intoxication and anger, blew up the magazine at Fort Bisseton [Port au Prince] which contained 28,000lbs powder. In this last the officer was the only person killed. More than half the houses in Port au Prince require new roofs.

LAW-CASE.—*Jamaica, June* 13—Soon after the arrival at this port of the Venezulian government schr. Candor, capt. Philipe Estevez, a repleven was issued against her by the agents of her original owners, who were Spanish subjects residing in the Havana, and from whom she was captured by the Independents; a motion having been made in the grand court to discontinue the repleven, it came on to be argued on Saturday last:

The court considered this matter in three points of view—

1st, How far they could permit the plaintiffs to proceed, in a British court of justice, for the recovery and to settle the ownership of a vessel, which, by their own confession, was, at the moment it was seized by the Venezulians, engaged in a traffic which is directly in the teeth of the abolition acts of Great Britain.

2d, Whether the court will permit itself to be called upon to decide a great political question, between Great Britain and the subjects of another country, in a state of civil war among themselves, when the British government itself is maintaining the most marked neutrality towards both the contending parties.

3d, Whether the Candor, coming in a public character from Venezuela, not only with despatches for the admiral on this station, but with despatches to be forwarded from him to our government at home, which might be of the utmost importance to the mother country, was not entitled rather to the protection of the court than to be considered as subject to be detained by its process, and that particularly at the instance of the subjects of Spain.

The court, without deciding on the first point, and saying they could not meddle with the second, determined that the Candor came in a character which entitled her, by the laws of nations, to protection from civil process, and consequently that this repleven was improperly brought: The court, therefore, decided the repleven to be discontinued, and the vessel to be given to the defendant in the same state as when the repleven was executed.

BRITISH AMERICA.

Halifax, July 2.—The following circular letter, published by order of his excellency the lieutenant-governor, has been addressed to the several collectors of his majesty's customs, as well as to the several collectors of light duties at the different ports in this province:

(CIRCULAR.)

Secretary's Office, Halifax, June 24, 1817.

Rear-admiral sir David Milne having communicated to his excellency the lieutenant-governor, that the American government had declined to accede to the propositions which have been made to them by his majesty's government, for the purpose of endeavoring to frame some arrangement, by which the citizens of the United States of America might be permitted to a participation of the fisheries within the limits of the British jurisdiction, I have it in command from his excellency the lieut. governor, to apprise you, that American fishermen are not permitted to frequent the harbors, bays or creeks, of this province, unless driven into them by actual distress; and I have to desire that you, on no account, ask or receive any light money, anchorage, or any other fees whatsoever, from vessels belonging to American subjects.

I have the honor to be, sir, your most obedient servant, RUPERT D GEORGE, *secretary.*

"SPANISH" AMERICA.

After the capture of Angustura, Boilvar is said to have advanced against the city of Carracas—which, it was supposed, he would take without opposition.

A brig belonging to the royal fleet at Havana, formerly the *Chasseur* of Baltimore, returned into port on the 5th inst. in a very crippled state, and with the loss of 60 men in killed and wounded, in an engagement with a Carthagenian privateer. This vessel was probably the Hotspur, capt. Rapp, since spoken, which had 24 men killed and wounded.

A vessel has arrived at New-York that was boarded by the Carthagenian privateer, commanded by Almeida, who put on board of her two Spanish *state* prisoners taken out of a vessel bound for Cadiz, which he had captured.

The schooner Hannah, of Baltimore bound to La Guayra, with her cargo, was captured within a day's sail of her port by a *Spanish* privateer, carried to Puerto Cabello, and condemned as good prize. Mr. Wilson, the consignee at the former, proceeded to the latter place, and made an investigation into the matter, and unfolded a scene of great villainy on the part of the captors to make a robbery complete—for this he was deprived of his papers, and thrown into prison by "the worse than savages" where he nearly died of disease—but was recovering, and had strong hopes of bringing "these wretches to condign punishment."

The royalists are completely driven out of Chili. The patriots banished to the island of Juan Fernandez have been brought back in triumph. The contest of the Buenos Ayreans with Peru, still goes on, with various success.

Another very valuable ship belonging to the Phillippine company has just been captured off Cadiz by two privateers, one of 20, the other of 10 guns.—

She was captured on the day she left [illegible] port. The cannonade was heard at Cadiz, and *four days* after several of Ferdinand's ships went out to see what was the matter! Among other valuable effects she had $200,000 in specie on board. The same privateers had also captured another vessel with 50,000 dollars.

FLORIDA.

The capture of Amelia Island, by gen. M'Gregor, is certain. He landed his men on the 30th of June, in the rear of Fernandina, marched them through the marsh, breast-deep, and entered the town by capitulation, without firing a gun. There were only about 70 Spanish soldiers on Ameiia. He was rapidly recruiting his little army, and intended immediately to march for *St. Augustine*, a strong place, and said to be defended by 500 men, where he will probably have warm work. He has with him a ship of 22 guns, and some smaller vessels. *The official capitulation and M'Gregor's proclamations, &c. must be postponed until our next.*

A small military post on St. John's river, called Fort Nicholai, was abandoned by the Spaniards, who escaped in two gun boats, after the capture of Amelia.

Two schooners were captured at Amelia by McGregor, who has already established a court of admiralty there, with a post office, &c. John D. Heath, formerly a member of the bar, at Charleston, is the judge. A newspaper, in the English language, is intended to be printed. One privateer had received a commission at Amelia and sailed on a cruise.

Forty African slaves taken at Amelia, were condemned as prize and sold at auction.

Later accounts say that every thing was tranquil at Amelia. Gen. McGregor was sending off troops to St. John's for St. Augustine, which was closely blockaded by a patriot frigate and a sloop of war—they were thought a match for any naval force that Spain has in the western hemisphere.

The governor of St. Augustine, col. Croppinger, is represented as a brave man, and very popular with the people.

MEXICO.

Letters from gen. *Mina's* army, dated at Soto la Marina, May 16, are published. They detail a couple of little skirmishes he had had with the royalists. In one of these col. Pierre, of New-Orleans, with 60 men, attacked and completely routed with the bayonet, a Spanish force of 250 men, killing 10 of them, with the loss of two of his own men. The enemy being mounted, escaped.

The following is given as the number of men and amount of ammunition and resources of gen. Mina:

"Staff,	40
Guides,	20
Guard of honor,	50
Volunteers of officers,	30
Red hussars,	120
Blue do.	40
Horse artillery,	110
1 regt. of Americans	260
1 do. Mexicans,	240
1 do.	86
2 companies of this city,	116
Total,	1132

Employed in the fort we have 150 workmen, also the crew of a ship of 400 tons. Our number daily increases, and in three months we shall have 10,000 men. The following is a statement of our arms and ammunition:

Artillery of campaign.

4 4-pounders,
2 6-inch swivels,
4 9-pounders,
4 3-pounders——Total 14.

Artillery of siege.

4 9-pounders,
7 24-pounders,
2 10-inch mortars—Total 13.

Besides 6 additional carriages, 5 forges, axes, tools of every kind, a printing press, 4000 suits of regimentals, 10,000 muskets, 100,000*lbs.* of powder, 100,000 musket ball, 100 boxes of fixed ammunition for transportation in the interior, &c. &c."

On establishing his head quarters at New St. Andero, by gen. Mina, the *bishop* of the place celebrated divine service and caused a *Te Deum* to be chanted. This looks well. On the 18th of May the general mustered his force and found it to consist of 2000 men, which a day or two after was strengthened by two companies of the royal troops who abandoned the cause of Ferdinand. If Mina can support himself a little while, he will probably accomplish the liberation of Mexico.

CHRONICLE.

It stated that the Congress frigate, with an agent of the government, Septimus Tyler, esq. on board, is to visit Hayti, and thence proceed to Margaretta, St. Martha and Carthagena. The nature of the business to be transacted at those places is not stated.

4000 tons of plaster of Paris was imported into Boston in the last month,

Fifty families of French emigrants have arrived at the Tombigbee, on their way to the Black Warrior, to settle on the tract of land allotted for the cultivation of the vine and olive. They have with them cuttings and scions of choice fruits, &c.

As a proof of the growing importance of the city of Richmond, an instance is cited of a lot of ground which, in 1811, was purchased for $500, that sold in this month for $10,000, and upwards.

The pirate *Mitchell* was lately shot through the body, but not wounded mortally, by some military sent from New-Orleans to apprehend him, in the neighborhood of that place. This man has committed great depredations in the gulph of Mexico, and is reported to have sunk a ship with 80 persons on board, by scuttling her! Many packages of goods, supposed to have been a part of his spoils, have been found in the woods and swamps.

MONEY. *New-York, July* 19. Bills on London 101½; Philadelphia bank notes, par; *Baltimore* ½ dis. *Boston* ½ *a* 1, do. Connecticut, Rhode Island and New Hampshire, and the country banks of Massachusetts, from 1 to 2, do. Virginia, 1 to 1½ do. North Carolina, 3 do. South Carolina 1½ do. Georgia 2; Louisiana 8.

At Oswego, N. Y. a large company of both sexes partook of a banquet prepared by the ladies, in honor of the 4th of July. The two following toasts were given by two young ladies present:

The day we celebrate—Sacred to virtue, honor and liberty; it is the privilege and the duty of both sexes equally to participate in its joys.

Female loquacity—Satirized by the opposite sex—May it ever be exerted when the cause of our country demands.

Specie. The British packet, Lord Sidmouth, lately arrived at New-York, brought out a large quantity of specie to be invested in our stocks.

Southern Indians. A letter is published in the Savannah Republican, dated at St. Mary's June 27,

from which it appears that the people of Camden county, Geo. are abandoning their homes for fear of the Indians. The neglect to establish a military post on that frontier is loudly complained of. The Seminole Indians are remarkable for their ferocity.

General Jackson. The life of this distinguished officer is published. We have not yet seen the work; but a Virginia paper noticing it, says—"There is one circumstance mentioned, of which we do not recollect previously to have seen any notice; on the propriety or constitutionality of which the reader will make his own comments. Jackson had heard that the legislature of Louisiana, then in session at New-Orleans, meditated the offer of a capitulation with the British. He ordered governor Claiborne, should such a determination be manifested, immediately to "arrest the members and hold them subject to his further orders:" and the governor, in consequence, placed an armed force at the door of the capitol, and prevented the members from meeting."

The Ohio. The depth of water, opposite Cincinnati, in the Ohio, was about fifty feet, on the 30th of June. The river was higher then than it had been known for years so late in the season.

☞The establishment of a powerful company to prosecute the fur trade to the "White Capped Mountains, and along Jefferson's, Madison's, and Gallatin's rivers," is strongly recommended in a *St. Louis* paper. It would probably be a profitable speculation, and of considerable political importance.

A remarkable circumstance happened on the 30th ult. on the Genesee river, about ten miles from this place. A part of the land upon the north bank has fallen into and across the river so as completely to change the course of the stream, which was at this place about eighty yards wide. The land on the south side of the river was level for some distance; on the north there rose a very high and steep hill, commencing about 20 or 30 feet from the edge of the bank. Along the intermediate space a road passed, the level of which was not more than six or eight feet above that of the water. In the afternoon of the day above mentioned about half an acre of the bank fell into the river. About half past ten o'clock at night the people in the neighborhood were suddenly alarmed by a tremendous noise from the hill, accompanied by a jarring of the houses. Upon going immediately out they discovered huge masses of the mountain tumbling from above into the river, and dashing the waters to a great height. About 15 acres of the surface is supposed to have fallen. The cavity left in the hill is of a circular form, the back part of which presents a precipice nearly perpendicular of about 150 feet in height. Several of the trees which stood on the side of the mountain yet remain in an erect posture, having been carried down in that position on masses of the earth; the tops of others are buried in the ruins, while their roots are raised into the air. The current of the river being completely obstructed, it has risen above the opposite bank, and is now forming a new channel for a considerable distance.

[*Gen. Farmer.*

TO THE PEOPLE OF THE UNITED STATES.

The board of managers of the American Colonization Society being about to enter upon the prosecution of the great object of the institution, beg leave to address their countrymen upon this important subject.

The first duty to be performed is to obtain unquestionable information upon several most essential points, which will not only enable the society to pursue it's future measures with certainty, but may also justify the government in affording it's co-operation in a way most conducive to the success of the object in view.—To effect this we have perceived the necessity of engaging a competent person to visit the settlement of Sierra Leone and other ports of the continent of Africa, and probably also to spend some time in England.

For these and other purposes, it becomes immediately necessary that the society should call upon it's friends and ascertain what extent of funds may be expected.

The board do not think it necessary to comment upon the many and obvious benefits that may result from the labors they are engaged in.

The love of our own country, and benevolence to the cause of our suffering fellow men, conspire to offer the most persuasive motives. To these are to be added the far higher and more animating inducements of being the instruments of a gracious Providence in dispensing the light of Christian hope and joy over a benighted and important portion of the earth.

The board therefore call with confidence upon their countrymen and fellow Christians for that liberal aid to their designs, in reliance upon which this association was formed.

BUSH. WASHINGTON, Pres't.

Important Law Intelligence.

We have been furnished with a copy of the opinion delivered by judge Livingston, at the late circuit court of the United States, held in this city, in the case of *Adams and Adams* vs. *Storey*, by which the following important points are decided:

I. That the act of the legislature of this state of the 3rd of April, 1811, is an insolvent, and not a bankrupt law.

II. That if a bankrupt law, it would not be void, the several states having a right to pass such laws, notwithstanding the power granted to the general government of establishing an *uniform* system of bankruptcy.

III. That insolvent laws, although they may affect pre-existing debts, are not laws *"impairing the obligation of contracts,"* within the meaning of the constitution.

IV. That a discharge under the insolvent law of the 3rd of April, 1811, of a person residing within this state, may be pleaded to an action brought by a citizen of Massachusetts, although the debt was contracted in Boston, and payable there.

The opinion delivered on these points follows:

Circuit Court of the United States for the district of New-York.

Benjamin Adams and Caleb Adams
versus
Augustus Storey.

R. H. Sedgwick, of counsel for plaintiffs.
Fay and Emmet, of counsel for defendant.

Mr. Justice Livingston. This is an action brought on several promissory notes, made or indorsed by the defendant, then residing in Boston, to the plaintiffs, who were then and are yet residents of the same place. The notes are also made payable in Boston, and were dated prior to the passing of the insolvent law hereinafter mentioned.

The defendant pleaded the general issue, and on the trial offered in evidence, pursuant to a notice given for that purpose, a discharge by the recorder of the city of New-York, dated the 13th Nov. 1811,

which was granted in virtue of an act of the legislature of the state of New-York, entitled "An act for the benefit of insolvent debtors and their creditors," passed the 3rd of April of the same year.

To the reading of this discharge, the plaintiffs objected—but it was admitted. A verdict, however, was taken by consent for the plaintiffs, subject to the opinion of the court on a case to be made by the parties. If the discharge was improperly admitted, judgment is to be entered on the verdict as it now stands—but if the discharge shall be thought a good bar to the action, the present verdict is to be set aside, and a verdict and judgment thereon entered for the defendant. The defendant, at the time of obtaining his discharge, resided and yet resides in the city of New-York.

Few questions have ever been agitated, in any court of the United States, since the formation of the federal government, of more extensive consequence, or of more delicacy than those which are now to be decided. When the binding force of an act of the legislature of any state is drawn into question for its supposed repugnancy to the federal constitution, although no court can entertain any doubt of its right to pronounce it invalid, yet it is no more than becoming to proceed with caution, and with more than ordinary deliberation. Presumptions will ever exist in favor of the law, for it will not readily be supposed that any state legislature, who are as much bound by the constitution, and are under the same solemn sanctions as the judges of those courts, to regard it, have either mistaken its meaning, or knowingly transcended their own powers. If, then, by any fair and reasonable interpretation, where the case is as at all doubtful, the law can be reconciled with the constitution, it ought to be done, and a contrary course pursued only, where the incompatibility is so great as to render it extremely difficult to give the latter effect, without violating some provision of the former.

The plaintiffs' counsel in support of the verdict, say, that the discharge which was given in evidence can be no bar to the action. They contend,

1st. That the statute of New-York, under which it was obtained, is a bankrupt law, and as such is void for its repugnancy to the constitution of the United States; and this position is supported by the broad assertion that every law which discharges the person and property, as well future, as in posession of the debtor, is a bankrupt law. But to this difinition the court does not assent, for this would be to confound at once almost all the distinctions between these laws, which have been known and recognized in England, from which country we borrow the term, from the first introduction of the system there, in the reign of Henry the eighth, down to the present time: distinctions which must have been familiar to many of the members of the convention that made the constitution. It is not because these laws may, in some respects, produce the same effects, that they are not to be distinguished from each other. In England the bankrupt system has been confined exclusively to traders and creditors of traders; whereas the insolvent laws of this country embrace every class of debtors. It is of no importance whether the debt has been contracted in the way of trade or not, for a person to come within the purview of an insolvent law. So exclusively have bankrupt laws operated on traders, that it may well be doubted whether an act of congress subjecting to such a law every description of persons within the United States, would comport with the spirit of the powers vested in them in relation to this subject. But it is not only in the persons, who are the objects of these laws, that a difference exists, but their general and most important provisions are essentially dissimilar. Under a bankrupt law, the debtor is at once by operation of law, as soon as he has committed an act of bankruptcy, divested of all his property, which is transferred to assignees in trust for his creditors. All dispositions by the bankrupt himself after this are void—an insolvent, on the contrary, retains the management of his own estate, however he may misbehave towards his creditors at large, and it is rarely, unless on his own application, vested in others. It is of no importance how many acts he may commit, which under a bankrupt system would enable his creditors to take from him the control of his property, they can seldom act upon him compulsively under the provisions of an insolvent law, if he be obstinate or dishonest, until he has given what preference he thinks proper, and is become so poor as to be scarcely worth pursuing. Under the one system the creditors are actors, and under the other the debtor himself originates the proceedings; and if, as is sometimes the case, his creditors may do it, even then his consent is generally indispensable under the provisions of an insolvent system. Other differences, in almost every stage of proceeding, might easily be pointed out, but they are so familiar to the profession, that a bare inspection of the act under which this discharge was obtained, will leave no doubt on the mind of any one to which class it belongs. "The title proclaims it to be an act for the benefit of insolvent debtors, and their creditors."—The first section gives power to the *insolvent himself*, who is imprisoned on any civil process issuing under the authority of this state, to present the petition to a proper officer, praying that his estate may be assigned and he discharged from his debts. The residue of the act is principally made up of directions as to the proceedings which are to be observed after the presenting of such petition, until the final discharge of the debtor, all of which differ greatly from the proceedings which take place on the issuing of a commission of bankruptcy. The fourth section declares that such "discharge shall extend to all debts due from him at the time of the assignment, or contracted for before that time, though payable afterwards." If this be not an insolvent law, the court is at a loss to say to what act this appellation can apply.

The opinion which has been expressed on this point would seem to preclude the necessity of enquiring how far this law interferes with the authority given to congress to "establish uniform laws on the subject of bankruptcies"—but, as the view which has been taken of the act of this state may be thought incorrect, the court has no objection to consider it, as though it were a bankrupt law.

The power to pass laws of this character, it is said, is exclusively vested in congress, and whether they exercise it or not, no state can have a bankrupt law of its own. As a consolidation of the different states into one national sovereignty was neither effected, nor intended to be effected by the constitution, it has always been conceded that the state governments retained so much of the power, which they before had, as was not by that instrument exclusively delegated to the United States. It is now indeed one of the amendments to the constitution, that the powers not granted to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively or to the people. It is agreed that such exclusive alienation of state sovereignty can only exist in three cases—where, by its terms, it is so—or where a power is con-

ferred on the federal government, and the states are prohibited from exercising a similar authority—or where an authority is granted to the former, to which the exercise of a like power on the part of the different states would be absolutely and totally contradictory and repugnant. It is not pretended that the grant of the power under consideration is exclusive in its terms—or that there is an express prohibition on the states from exercising a like authority—but it is supposed that such exercise would be so totally inconsistent with the one granted to the government of the union, as to be necessarily comprehended in the third class of *exclusive* delegation. If it be really so, that the passing of a bankrupt law by a state, to operate, as it necessarily must, within its own limits, be absolutely incompatible with the power vested in congress, it would be conceded at once, that such an act would amount to a violation of the constitution of the United States and be void. Let us see whether the consel have succeeded in establishing this position.

It must be allowed by all, that at the time of making the constitution, each state had a right to pass insolvent and bankrupt laws. As it was desirable, in a country so extensive as the United States, and every part of which was more or less commercial, that the laws relating to bankrupts should be uniform, so also it was an object of great importance that none of the larger commercial states should at any time be without some code on this subject. A system of the first kind, that is one which should be *uniform* throughout the union, could not well be brought about but by delegating the power of rendering it so to congress. Great difficulties however would lay in the way of a statute, whose provisions should pervade the United States; and as these must have been foreseen, the states might be willing and desirous of retaining the right of passing laws of this nature until congress could agree on a general plan. Nor can the court perceive any contradiction, absurdity or repugnancy in these several powers existing at the same time in the general and in the state governments—in such subordination however, that the exercise of the authority vested in the former should, for the time, suspend all exercise of the power which resided in the latter, and operate as a repeal of any laws which might have been previously passed by the several states. It is an *uniform* rule which congress are to prescribe. But if they furnish none, how is it an interference for each state to legislate for itself? Neither the terms nor spirit of the instrument are thus disturbed. It seems designedly to have been left optional with the general government to exercise this power, that if the embarrassments which lay in the way were insurmountable or very great, they might omit to do it, and thus leave the states to take care of themselves. If it had been intended immediately to divest the states of all power on this subject, and to compel congress to act, the terms of the articles would have been much more imperative than we find them, and probably it would have been accompanied with a prohibition on the states. No writer on this part of the constitution has gone farther than to say that the power of naturalization is exclusive—because if congress have a right to ordain a general rule, the states can have no right to prescribe a distinct rule. This construction is supposed to follow, not from any inconsistency there would be in each state passing a naturalization act for itself, if congress did not bring into action the power delegated to them, but from the inconvenience to which it might subject some of the states, by imposing upon them as citizens, obnoxious foreigners, who might become naturalized in another state, without any previous residence, or without any regard to character, by the mere formality of taking an oath of allegiance.

If the argument *ab inconvenienti* applies to the case of naturalization, it has no bearing on that of bankruptcy; for, in this case, each state would be legislating principally for its own citizens, and other states could not be injured by any system it might adopt. But this construction, even in the case of naturalization, where the argument in favor of an exclusive power is much stronger than in that of bankruptcy, has not only been strongly controverted, but is opposed by a judicial decision entitled to no little respect. It is the case of Collet and Collet, in the circuit court of Pennsylvania, in which the three judges, one of whom had been a member of the federal convention, decided, after solemn argument, that the federal states still enjoy a concurrent right with congress on this subject, "which, however, cannnot, they say, be exercised so as to contravene any rule which congress, in their wisdom, may establish." The most strenuous advocates for the exclusive exercise of every unqualified power granted to the general government, seem not unwilling to admit the several states a participation of such power, if it can be exerted consistently with, or without derogating from the express grant to congress. It has not been shown how a bankrupt act, passed by a particular state, can interfere with the exercise of a power residing elsewhere, to promulgate a uniform law for all the states. If similar powers had been granted to the government of the union, respectiug the descent of real estates, the recording of deeds or the celebration of marriages—will it be said that the several states must have remained without any laws to govern the transmission of landed property, or that no deed could be acknowledged or recorded, nor a valid marriage solemnized, although congress might for years omit to prescribe rules on these subjects? The object of this grant could have been no other than to place some where a power to correct the mischiefs which might arise from the different states passing on the same subject, not only dissimilar laws, but such as might be unequal in their operation on the citizens of other states. This end of the grant will be sufficiently and effectually attained if, when the evil arises, congress bring into action the authority vested in them. From them only can a uniform system emanate; but systems, greatly varying it is true, all of which, however, may be salutary, may be established without any derogation from or interference with a right residing elsewhere to introduce *uniformity* on the same subject. Nay, from these very provisions, however discordant, might be selected materials for the one which it was committed to the general government to form. Neither can the passing of such laws by the states be regarded as a resumption of power by them, in which case, it is said, they should produce an express grant of it. This argument proceeds on the presumption of a previous relinquishment on the part of the states of all right to interfere in this matter, and is thus taking for granted what is the whole question in controversy; for unless such transfer has been made, which is not admitted, no reassignment of it by the general government can be necessary. No court of the U. States will be suspected of feeling any disposition to countenance encroachments by the state legislature on the legitimate authority of the government

of the Union: but in cases of doubt, and where the limits of separation are not very distinctly marked, and especially where the powers exercised leave in full force and unimpaired those given to the general government, the tranquility and harmony of the Union will be better preserved by allowing to the states a reasonable share of legislation on the subject in dispute, than by strenuously insisting on a total exclusion. Congress, themselves, must have entertained an opinion that the different states have this right in the present case; for on no other principle can we account for their leaving the United States so long without a uniform system of bankruptcy. Great and pressing as the call for such a system has been, the obstacles in the way of one that shall be uniform, and in that shape agreeable to all the states, continue to be so numerous, that but little hope is now indulged that any will be soon adopted—but great and serious as these difficulties may be, it would almost be the duty of congress to disregard them, if there existed no where else a power to correct the mischiefs which must necessarily be felt in many of the states from the *non-user* of this authority. The inference which has been drawn at the bar from this silence or inaction of congress does not appear correct. It is considered as equivalent to an expression on their part of their sense against the wisdom and policy of *all* bankrupt laws, and that none ought to exist any where. Keeping in view the power which congress have, on this subject, it is more natural to interpret such silence into a declaration of their opinion of the inexpediency at present of *any uniform system*, and that the several states still retain the power which has been contended for, and can therefore take care of themselves. This would not be so great an imputation on their wisdom, as to suppose they can entertain an opinion in opposition to the sense of the whole world, that in a commercial state, such laws are mischievous or unnecessary. The opinion of the court, therefore, is, that this law, if a bankrupt law, would not on that account be void.

Another constitutional objection is made to the defence which is set up in this cause. The law under which this discharge was obtained, having passed subsequent to the date of the notes on which the action is brought, is supposed to "impair the obligation of contracts," and therefore to be void, either in the whole, or so far as it may extend to debts incurred previous to the passage of it.

There is not perhaps in the constitution any article of more ambiguous import, or which has occasioned and will continue to occasion more discussion and disagreement, than the one under which the present difficulty arises, or the application of which to the cases which occur, will be attended with more perplexity and embarrassment. Laws may be passed which so palpably trespass on this article as to leave no doubt on the mind of any man; others again will be of so questionable a character as to render it not very easy to form a satisfactory opinion concerning them. All the other restraints on the separate members of the confederacy contained in this section of the constitution are conceived in terms so clear and intelligible, that rarely will any hesitation exist as to what will amount to violations of them; but to decide whether a law impairs the obligation of a contract will generally be a task of some intricacy, and it will not be surprising if, in the discharge of it, great diversity of opinion will arise. This has been treated as a very plain case by both parties. By the plaintiffs we are told that it is the clearest case of a law impairing the obligation of contracts that can well be imagined—while the defendant contends that it is quite as certain that insolvent laws were never intended to be embraced by this provision of the constitution. The latter is the opinion of the court; but instead of regarding it, with the defendant's counsel, as a question of little or no difficulty, the court has not come to this conclusion, but, after much hesitation, owing not only to its intrinsic difficulty, but because it is well known that the most respectable opinions to the contrary have been expressed elsewhere, the court will proceed to assign its reasons for the judgment which it has formed.

To arrive at the true meaning of any article of doubtful import in the constitution, a better mode cannot be adopted than the course which is generally pursued for the interpretation and understanding of ordinary remedial statutes: That is, to recur to the situation and history of the country at the time; to its contemporaneous exposition, if it has received any; and to the general understanding of the community, especially if such understanding shall have been long acquiesced in by all the states and all the courts of the union. Keeping in view these rules, let us inquire what were the kind of laws to which this prohibition was principally designed to extend. There can be no doubt that by it was intended to be corrected some, if not all, of the evils which had crept into the system of legislation of many of the states, and had excited a considerable alarm for the security of private rights. In many parts of the union all confidence in public faith was extinguished. This had been occasioned by frequent interferences on the part of some of the legislatures in matters which were not believed to fall within their ordinary and legitimate sphere of action. By recurring to the history of the times, and the reasons assigned by the friends of the constitution for the insertion of this article, much useful information will be obtained, and we shall be at no loss to discover to what species of laws it was then thought that the interdiction was principally supposed to extend.—During a long and arduous struggle for independance, much individual misery and distress were unavoidably produced. Driven from their homes, and cut off in many cases from their ordinary pursuits, the resources of many were either exhausted or so much impaired as to induce the legislator on various occasions to listen to the pressing calls which were made upon them to devise some mode for their relief. Various expedients were accordingly resorted to, and the practice of interfering between creditor and debtor became so very extensive and so inconsiderate, as in many instances to place the former entirely at the mercy of the latter, and that too under laws which were apparently introduced with no other view than that of affording to the debtor a temporary relief from the pressure occasioned by the then situation of the country. Bills of credit, and paper money were issued, and by legislative sanction were substituted for gold and silver in the discharge of debts. Creditors in some places were liable, without any adverse proceeding on their part, to be cited by their debtors, and to have the sums due to them tendered in a currency whose depreciation at the time produced the most glaring injustice. On their refusal to submit to this mockery of justice, the public securities, which had been thus offered, might be deposited with some public officer, and the creditor was forever barred from any recovery. In other cases payments were authorized to be made by instalments. In some states the in-

terest which had accrued during the war or a part of it was remitted, while elsewhere not only a paper currency of no value, but almost every species of property, was made a legal tender, and no stipulation however solemn, to pay in the precious metals, afforded any security to the creditor. The courts of justice in many of the states had been closed altogether, and the creditors thus withheld, at least for a time, from every appeal to the laws of his country, while his debtor might be squandering the property out of which his demand ought to have been satisfied. Geographical limits had also been resorted to, for the purpose of introducing the most odious discriminations between creditors themselves. For those who resided within the British line, and those who were without those precincts, distinct remedies were prescribed, and the scales of justice so unequally graduated, that while the latter might recover the whole of their demands, the former, if they sued, where compelled to receive public certificates of one description or other, of so little value as scarcely to indemnify them for the costs of suit which they were obliged to pay.—Very great liberties had also been taken with British creditors, many of whom complained, and too justly, of the impediments which continued to be thrown in their way even after the return of peace. These frequent interpositions, in private concerns, during a period of great public and private suffering, and for many of which the condition of the country and the great object at stake, might seem to offer some apology, became so common, so intolerable, and so inveterate, in many places, that it became no easy matter, even after the restoration of peace and the acquisition of our independance, to lay them aside. There will therefore be in the statute-books of several of the states, after the termination of the war, many provisions of the same meddling and obnoxious character, which either changed the nature of contracts, or suspended the payment of them, or authorized it in a way contrary to the plain engagement and meaning of the parties.

By laws of this description, which had become too dangerous and oppressive to be any longer borne, very extensive and great uneasiness was produced, and against them was raised a corresponding and almost universal expression of indignation and regret. Accordingly to all the objections made against the prohibition on the part of the states, to pass laws impairing the obligation of contracts, we find the friends of the constitution every where, and again and again urging the necessity of it, in order to put an end to the evils which had flown from acts of the kind which have been mentioned, and which had, after the revolution, been extended by designing and influential men, to many other cases so as to encrease, instead of diminishing the alarm which had been excited. To such acts we find them constantly ascribing the decay of commerce, the ruin of public credit, and the almost entire extinction of confidence between individuals, and pressing with vehemence the adoption of this article as one of vital importance, and as the only guard and preventive against the promulgation by future legislatures of similar acts in derogation of private rights, however great the emergency might be deemed.—But on no one occasion do we hear of any complaints against the power of passing insolvent laws; this practice had not arisen out of the calamities of war; it was brought with the first American colonists from the mother country; it was adopted, in one form or other, by all the British colonies in North America, without an exception that has been discovered as to any one which now composes a part of the United States. It must have originated wherever we find the practice of it, and perhaps it is not hazarding too much to say that it is universal, not only from a conviction that the encouragement of trade required it, and so are the recitals to many of the acts; but, from those indelible principles, which are implanted in the breast of every man, and which proclaim, in a language not to be misunderstood, that in every country, where imprisonment for debt is allowed, there must and ought to reside a power somewhere of compelling creditors to abandon their hold of the body of a debtor, who shall fairly and under such restrictions as the law may provide make a complete surrender of his property, to be divided amongst those whose debts some unexpected turn of fortune has rendered him unable to pay. In such cases, his future acquisitions, although here there may exist some diversity of opinion, should also be his own, or he will be restored to his freedom and family, not only without property, but without credit, and in many cases with such a heavy load of unextinguished debt and so many liens on his future acquisitions as must stifle every exertion to make any. His freedom, in such cases, will be a mockery, nor will such a state of servitude to his creditors often prove of any service to them; for, sinking under a burden from which he sees no prospect of relieving himself, his ambition and efforts will be limited to the gaining of a bare maintenance for himself and family, knowing that neither he nor they can ever be benefitted by any surplus. But whatever considerations may have first called into practice a power of this kind, it is sufficient for our present purpose, that we find it in use in perhaps every state of the union, under some modification or other, at the time of the adoption of the constitution, and that the laws passed on this subject very generally, if not universally, provided not only for future cases of insolvency, but for those which existed at the time. If this be so, and that it was so to a very great extent is not denied, it must have been known to the friends of the constitution, who exerted themselves in favor of its adoption; and yet no arguments drawn from that source are to be found in the debates of any of the conventions, in favor of the prohibition. Nor is it recollected that those who were hostile to its adoption, ever objected to this feature of it, because of its liability to such construction, and yet such objections would have been heard from more quarters than one, if it had then been thought susceptible of the interpretation which the court is now expected to apply to it. It may also be observed, that if it had been thought necessary at that time of day to tie up the hands of future legislatures in relation to this matter, it would have been more natural to have committed to congress a power of establishing a uniform system of insolvency as well as of bankruptcy, or to have transferred to the general government an unqualified and express power in the premises; for it cannot be credited that a people who had been so long accustomed to laws of this kind, would have consented to deprive the state legislatures of the power of passing them, without at the same time delegating to that of the union some control over the same subject. Dissatisfaction may have existed and been expressed at the abuses which were committed under the sanction of such laws, for not more effectually pretecting creditors against the frauds of their debtors, and such dissatisfaction is often heard at the present day; but never was the right or propriety of an interference in this way called in question.

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Hæc olim meminisse juvabit.—Virgil

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To the practice of the states antecedent to and at the epoch of adoption of the constitution, and to the silence on this head of those whose attention was directly called to this article, may be added the uninterrupted and undisputed usage of all or most of the states from that day down to the present time. Yet, after the lapse of near thirty years, during which time scarcely a chasm or intermission is to be discovered in the usage of the state where the court is now holding, it is called upon to pronounce all its insolvent laws, so far at least as they operate on past debts, and all discharges under them of such debts, as repugnant to the constitution, and therefore void. Without adverting to the serious consequences of such a decision, with which the court has nothing to do, how, it may be asked, is the uniform practice which has been mentioned to be accounted for, but from a general and universal understanding that such practice was no departure from any of the obligations which one state had contracted with the others? Can we believe that before time was allowed to organize the general government, and while the instrument of its formation was undergoing the examination and criticisms of able and industrious adversaries, any state could have passed laws of this character, not only without animadversion, but execute them without any objection from a numerous class of citizens who are in general not the most inattentive to or ignorant of their rights? Would not a clamor on the part of creditors have been heard from one extremity of the of the union to the other, against such usurpation of power if it had been viewed in that light? And if the legislatures of the several states could not have been brought back to a sense of duty by remonstrances against the exercise of such a right, would not applications have been made to the courts of justice, to arrest by their decisions the progress of such gross and frequent violation of the constitution? But not only have these laws been passed without a constitutional difficulty being ever suggested by any member of the legislature, at the time; but frequently as they must have been brought to the notice of the courts of the different states, and sometimes of the federal judiciary, it is not until very recently that the present objection has been heard of. Congress, too, in the only bankrupt law which they ever passed, introduced a provision, that it should not "repeal or annul the laws of any state, then in force or which might hereafter be enacted for the relief of insolvent debtors"—many, if not all of which *then* in force, will on examination be found to be retrospective. Either, then, these laws are not within the prohibition, or if they are, and the terms of it are so obscure as to have hitherto eluded the research of so many who must have had an interest in its discovery, it is the very case in which a court ought to rely for its true sense in a general practice which has been so long submitted to. It has been said that a practical construction is of no importance when a question arises on public acts of so important and solemn a nature as a written compact between several independent states. The instrument, it is said, should speak for itself. But if there be any thing in this remark, a decision of the supreme court of the United States on the effect of a practice in fixing the meaning of the constitution, would not permit the court to listen to it. In the case referred to, a usage of only ten or twelve years, and which had once been interrupted by an act of congress, was deemed to settle a question, in which was involved the very independence of an important and co-ordinate member of the federal government, and that too in opposition to what, many will think, as probably did the judges themselves who decided it, the plain and obvious letter and spirit of the constitution.

But aside from this contemporaneous, and universal expression of public and private sentiment on this subject, the court is not very certain that it would have regarded a law of this nature if the question were of earlier date, as "impairing the obligation of contracts."

This objection goes only to such of these laws as affect antecedent contracts. It may very safely be assumed, that most, if not all of the insolvent laws in this country, fall within this description, and an interposition by the legislature in this way seems absolutely necessary, if not inevitable, wherever imprisonment for debt is allowed. Such laws cannot therefore be regarded as contrary to the first principles of the social compact, or opposed to those sound and wholesome rules of legislation which were intended to be preserved pure and inviolate by those who made the constitution. A power to pass such laws necessarily results from an antecedent state of things, and from the existence of a system, which, if left to itself, without occasional controls on the part of the legislature, would produce permanent individual distress and ruin, and to an extent, highly injurious, not only to the state itself, but to the very parties, who might, in the moment of passion or disappointment, resort to it as a mean of coercion:—This attribute of sovereignty, for as such it is regarded by the court, it was better that the state should retain, than to have relinquished to the federal government. By the former it would be exercised within a less extended sphere, and of course with not so much danger of injury to the parties concerned, as if the same duty had been performed by the congress of the United States. If then the passing of laws affecting in this way, past as well as future, debts has been in use within this state ever since its independence, and for many years while a colony, and if such practice has not only been acquiesced in but was absolutely necessary, may it not be fairly presumed that every contract within this state, or to be enforced here, is made under a full knowledge of such practice, which must now be deemed a perfect right; and that this being known and understood by both parties at the time, the creditor has no right to complain, if his debtor shall one day be liberated by virtue of an insolvent law which may be in force at the time of the contract, or which may be afterwards passed, not from the obligation or payment of the debt, but from personal confinement, on condition of making payment as far as he is able? The court has proceeded on a belief that most if not all of the states has been in the habit of extending their

insolvent laws to all debts without any regard to the time of contracting them. Time has not been afforded during a very busy term to examine the statutes of the different states, even if they had been within reach of the court, to see if there were any exceptions. There may be some difference in these laws, as to the mode of proceeding, and in the effect of a discharge obtained under them. In some cases the debtor is alone the actor in obtaining it. In others a part of his creditors unite with him; by some again the person only is exonerated, either from all his creditors, or from those who have sued him. By others all future acquisitions as well as the body are placed out of the reach of the creditors; but the principle on which they proceed is the same in all, that is, a right in the legislature to relieve insolvent debtors from imprisonment by some general law. The degree of interference is of no importance as it affects this question. Every kind of interference, however limited in degree, must, on the principle in which the plaintiffs rely, be a violation of the constitution. If these laws had been of the odious character which is now attached to them, is it not probable that at least some one state would have checked the further enacting of them by an article in the bill of rights prefixed to its constitution? No such limitation, however, is to be found, nor any expression bearing on the subject. Referring those who may wish to pursue the enquiry for the laws of the other states on this subject to their several statute books, the court will only notice some of those which have been passed by the colony and by the state of New York. In 1755 a general act for the relief of insolvent debtors was passed. In May, 1761, another passed requiring the assent of three fourths of the creditors in value, which expired in 1770. From that time until 1784 no general system was in force, but many acts were occasionally passed for the relief individuals. In 1784, a general system was again adopted similar to the one which had expired in 1770. In 1788, another general insolvent law passed. This was revived in 1801. In April, 1811, the law passed under which the present discharge was obtained, which permitted the debtor alone to petition, without the concurrence of any creditor. In 1812, the last law was repealed, and the consent of three fourths of the creditors again required. In 1813 the system now in force was adopted, which requires the co-operation of two thirds instead of three fourths of the creditors. By not one of these laws are debts previously contracted, excepted from its operation. Let it also be remembered, that frequently as the attention of the council of revision of this state, composed of the governor, chancellor and judges of the supreme court, has been called to this subject, this objection has never occurred to them, watchful and able as they ever have been to discover and check every aberration in the legislature from a correct and constitutional course of duty. But if it be on account of their relation back, that insolvent laws are regarded as impairing the obligation of contracts, bankrupt laws are liable to the same objection; and such was the character of the only one which congress ever passed. Now, although there be no constitutional restraint in terms on that body from passing laws interfering with private contracts, it is not to be presumed they would knowingly give their sanction to any act of this kind. Nor, even in passing a bankrupt law, would they have done it in a form liable to so serious an imputation, if they had believed they were impairing the obligation of contracts, especially as that power might have been exercised free from every objection of this nature. It is some proof that laws of this description are not regarded by congress as any violation of contract, merely on account of their retrospective influence. The contract in truth remains in full force, while payment thereof by the policy and humanity of most civilized nations must in case of misfortune be sought for out of the estate of the debtor, who, as well as his future property, is in general released.

After all that has been said, the court considers this question as one of considerable difficulty, and regrets that it has not yet received a decision at Washington, which would produce uniformity of judgment at least in the courts of the United States.

But if these constitutional objections are removed it is alledged that the contract being made and being payable, in Boston, cannot be affected by any discharge obtained under the laws of the state of New-York. Under this head of argument the court has been reminded of a rule, which it is presumed, when properly understood, will be acknowledged by every one; that is, that the *lex loci contractus* must be resorted to in order to ascertain the meaning of every agreement made abroad. This does not proceed from mere comity or courtesy towards other nations, but from the immutable principles of justice, which would be violated by applying to a foreign contract, when deciding on its obligation, and affect any other law than that of the place where it was made—for how palpably unjust would it be for this court to pronounce void a bond executed at Canton and payable there, because by it should be reserved a greater interest, which might be lawful there, than seven per cent. per annum, which would render it usurious in this state? This is the meaning of the rule, and it is a salutary and just one. But out of it have arisen some dicta, which are ripening very fast into decisions of the most mischievous tendency, and between which and the rule itself it is difficult to perceive any connection. It has been said that the nature and validity of a contract must be settled by the law of the place where it was made, so also, it cannot be affected by any discharge of the debtor under the bankrupt or insolvent laws of the place where he resides or of the country to which he belongs, or in other words, that a contract made in a foreign state, and with a view to its code, can only be discharged pursuant to, that is, as the rule is now applied, under the bankrupt laws of such state. Accordingly, suits have recently been maintained against bankrupts and insolvents, whenever they have been arrested, by process out of the court of any other state than the one in which they became so. Thus a citizen of Pennsylvania has not been permitted to sue in New York a debtor who may reside, and have been liberated under a law of the latter state, but if he can be found in Massachusetts, or elsewhere, his certificate it is said will be of no avail, provided the contract were made in Philadelphia, or elsewhere in the commonwealth of Pennsylvania. This is not exactly the case here, but as these decisions are supposed to have a considerable bearing on it, the court will be expected to express an opinion on them. It has no hesitation in saying, that it considers them as forming a part of a class of cases, which, it will one day be lamented, should ever have found their way into the commercial code of this country. They appear to proceed on a misapprehension of the rights of independent nations—but principally on a mistake in applying the lex loci contractus, as well to the remedy as to the construction and validity of the agreement, contrary to all the adjudged cases on

this head. They maintain that a debtor can never under any circumstances, be discharged against the will of his foreign creditors, if his contracts with them be made where they reside, and with a view to the laws of their country, by any proceedings under the insolvent laws of the state of which the debtor is a member, but only by a certificate obtained pursuant to the bankrupt system, if any such there be, of the several countries in which his creditors may happen to reside. If the rule be not laid down precisely in these terms, such are its import and effect, and such or something like it is the practice which is very fast introducing itself, under the sanction of it. If this be so, how is an American merchant, who may be indebted in several countries abroad, in case of misfortune, ever to get disentangled from his debts. No proceedings under the bankrupt laws of the United States, if there be any, nor in conformity with the insolvent provisions of his own state, can do him any good. If he remains in his own country, trusting to the validity of such proceedings, perpetual imprisonment must be his doom, if his foreign creditors shall be as unrelenting as this rule is well calculated to render them; for no power there, it is said, can relieve him against this class of demand, but upon full payment of them, without a violation of the contract made abroad, or a disregard of the comity, due from one nation to another; according to this doctrine he has no alternative left but that of going to the different countries where he may be indebted, and there submitting to the proceedings established for the relief of unfortunate traders. And yet it is not perceived how his foreign creditors will be gainers by exposing him to so great a hardship, for if he shall commence his career of insolvency, as he naturally will do, in his own state, the assignment of his estate made there, will leave nothing for the creditors abroad, it being admitted, that by it the whole of his property, wherever it may be, will pass. In like manner, a debtor who shall fail, and have creditors of this description in different parts of the union, will have to make a tour of the United States, before he can commence business again, in order to seek relief under the insolvent system of each state. Is it not more reasonable to suppose, as the case most undoubtedly is, that every contract, wherever made, must proceed on an expectation, that the parties shall perform it according to the terms, if they are able, but if there shall be an inability in either to fulfil his part of the agreement, that then the other party shall be placed on as good, but not on a better footing, as to any remedy which he may seek for its breach or non-performance, as those who may reside in the country of the debtor. This, in case of insolvency, I should regard as a performance of the contract, secundum legem loci contractus, unless it were shown, that some different stipulation in the event of insolvency had been entered into, which is not pretended, and probably never did form a part of any contract, where no specific security was taken; and if it did, would hardly be enforced to the prejudice of other creditors. If a remedy against the person of an insolvent debtor be allowed to his creditors abroad which is denied to a domestic creditor, what is it but to give the former a preference over the latter, which neither justice will sanction, nor the *lex loci* in any case expect. On this subject I had an opportunity of expressing an opinion many years ago, in one of the cases which has now been cited. To that opinion I adhere, and shall adhere until a different rule shall be presented by a tribunal which has a right to control and direct the judgment of this court. I then stated that a surrender of all a bankrupt's effects, under the laws of the state in which he permanently resided, ought to operate as a discharge from his creditors in every part of the world; and I will now add, without any regard to the court or country in which the action against him may be prosecuting: whatever fault may be found with this opinion, I am mistaken if it will not be found to conform with the sentiments and practice of commercial men, and to be for the benefit of trade, that it should be so. Merchants generally believe, that if their debtors abroad, no matter how the debt was contracted, or when payable, be regularly discharged by the bankrupt or any other law of the state in which they reside, and his estate being divided among all his creditors, they are exonerated every where. The rule so often cited from Huberus and Casaregis, has no application to such a case. When the latter speaks of contracts territorial and extraterritorial, it is most manifest that he means nothing more than that a contract made in one country, is not to be construed by the laws of another. Now, the difficulty is to find out what the lex loci contractus has to do with the case of a future insolvency, or how the law of one country can differ from that of another in this respect. It is presumed to be law every where, that a man is to pay according to his contract, but if he be unable to pay any where, what then has the lex loci to do with the case? Is it part of that law, or is it any part of the contract express or implied, that no government upon earth shall be allowed to interfere for his protection in case of misfortune and insolvency; or, if it does, that such protection shall not extend beyond the limits of the state in which he lives, and not even there, as is contended in this case? Is it not for the advantage of foreign creditors, and will it not comport better with the interest of all parties, that when an insolvency occurs, they shall be placed on an equal footing with domestic creditors? It may be ruinous to the debtor, but of what advantage will it be to his absent creditor, to have him consigned to a prison during life without any right to a participation on his part, in the property in the hands of his assignees; for it has not yet been pretended, although this might as well be proved by the lex loci, that the creditors abroad has a right to a dividend of his estate, and to the body of the debtor in the bargain. If care be not taken the great solicitude which has recently been discovered for creditors in other countries, will produce decisions, if such have not already been made, which in case of bankruptcy will do them more harm than good. The truth is, all that amity, good faith, the contract of the parties, and the lex loci, if it has any thing to do with the question, can require is that their interests and rights shall not be postponed, or in other words, that they shall be as well taken care of as those of other creditors. Yet the court of king's bench, in Smith and Buchanan, went on the sole ground of the lex loci, when it decreed on the inefficiency of a discharge in Maryland against the claim of a British creditor. "It is impossible," says lord Kenyon, "that a contract made in one country is to be *governed* by the laws of another." It is also remarked in this case, that it might as well be contended, that if the state of Maryland had enacted that no debts due from its own subjects, to the subjects of England, should be paid, the English creditor would be bound by it. A law of this kind would not have been enforced by any court of this country, but between the iniquity and injustice of such a statute, and one which placed the British on a level with the American creditor, this court pre-

ceives no resemblance; while the one is calculated to excite the just indignation of any man, the other is well entitled to universal approbation. If in all its provisions it did not resemble the bankrupt laws of England, its effect in producing an equal division of the insolvent's estate was the same, it ought not to pass unnoticed, that at the very moment of rendering this judgment, the court admits that an assignment under the act of Maryland, would vest the property of the bankrupt, wherever it might be, in his assignees. If so, it would seem to follow, that the debtor himself ought to be discharged; for if the law takes from him, and against his consent, his property every where and secures it even from the pursuit of a foreign creditor, why should it not be allowed to offer a protection equally extensive to his person? Or why should he be placed in the very awkward situation of being liable to imprisonment abroad, when in that very country he may have more than property enough to satisfy the demands of his foreign creditor, but which has been placed out of his reach by an assignment previously made under the laws of his own state? And it may here be remarked, that the universal effect which is given to such assignments is not among the least of the advantages which foreign creditors derive from the bankrupt or insolvent laws of the country where their debtors reside. It prevents the creditors near him, and who will be first apprised of his misfortunes, and of the nature and situation of his property, from laying attachment on many parts of it, to the prejudice of those at a distance. This case will be dismissed with only one other observation. The merchants of the United States have never supposed that they can proceed in their own courts against British bankrupts, if found here, merely because the debt may have been contracted and payable on this side of the Atlantic; they receive and are satisfied with the dividend made in England; but shall any hereafter make the attempt and succeed it is to be hoped that the court which shall sustain so novel a pretension, will have more courtesy than to compare the bankrupt laws of England, which are perhaps as perfect as such a system can well be, with an act of parliament, which prohibit to American citizens the recovery of their just demands against British subjects. In the case of Van Raugh and Van Aredaln in the supreme court of this state, we are only told that the question had been decided ten years before, but what the case referred to was, or on what ground the decision was placed, does not appear. In Smith and Smith, however, the court refers to the decision in East, and assigns the same reason that is there given, and which has already been remarked on.

But this court is desired and expected to advance one step beyond all the decisions which have yet been made on this subject. Hitherto, an unfortunate debtor, even if he had heard of the few cases which have been mentioned, might think himself safe if he would but confine himself within the limits of his own state. Here he might confidently expect protection against the pursuit of every creditor without regard to his place of residence, or to the spot where the contract was to be performed. But even this security from imprisonment it is now desired to be withdrawn from him, and this course of conduct is pressed on the court, not on the footing of a series of adjudged cases from which there might be no escape, for none such are produced; not because it will accord with the general sense of the commercial world, for that it is believed is directly opposed to it. Not because of any odious discriminations which are found in the insolvent law of this state, between territorial and extra territorial creditors, for they are placed on a perfect equality. Not because the interests of commerce will be advanced by it, for in such a state of things none but men of the most enterprising character, will dare to engage in it. Nor yet because other countries practise on this rule, for nothing resembling it is pretended to be in use in any other part of the globe. Nor is it to be believed, that the court of king's bench itself, notwithstanding the solitary case which has been produced as to a discharge abroad, would disregard a plea of bankruptcy by a British debtor, against the claim of any foreign creditor, whatever might be the plea of contract or of payment. The court having already expressed its opinion on the inapplicability of the lex loci contractus to all cases of this kind, will only add that this rule has performed its office, as a construction is given to the contract, according to such law; but in case of inabilty, a new state of things occurs, the only proper rule to govern which is, that care be taken to enforce an equal and fair distribution of an estate, under the laws of the country in which the debtor has his residence. Insolvent laws have been hardly and not very earnestly considered by plaintiff's counsel, to laws authorizing the payment of a debt with one cent in the dollar, and in a way and at a time different from the agreement of the parties. They do no such thing; they afford a sanction to no injustice—they violate no law human or divine; they leave the obligation of parties in full force—they create no inability, nor interfere between one who is able to pay, and his creditors, but when such inability intervenes, they step in and take care, or at least such is their object, that a complete surrender of the debtor's estate shall be made for the benefit of all his creditors, and when this is done, they compel the latter to observe towards him that mercy and forbearance which, in similar circumstances, they would wish and expect to have extended to themselves.

It seemed to be admitted on the argument, that if foreign creditors had been named in this act, they would have been barred. The court thinks them as much bound by the general and comprehensive terms of this act, as if they had been specially designated. Enough has already been done in their favor without clothing them with a prerogative not yet heard of, that of being exempt from every law, unless particularly named; nor is this the ground on which these decisions go. It is that a state has no right to pass laws to discharge its insolvent subject from debts due abroad. But if the court has erred in the principles which it has adopted, or in the application of them to foreign creditors in general, the plaintiffs have no right to complain, for when a citizen of Massachusetts, where they reside, is imprisoned, at the suit of a citizen of this or any other state, he can, under the laws of that commonwealth, obtain his discharge, as to his person at least, without the creditor's consent, and such discharge is regarded, as it ought to be, binding on all the courts of that state.

Sitting, therefore, in the state which passed the insolvent act in question, and to which no constitutional objection appears, this court is not sensible that it departs from a single adjudged case in England, or in this state, when it decides on the universal validity of a discharge obtained under it.

Upon the whole, this court is of opinion that the act of the 3d of April, 1811, is an insolvent and not a bankrupt law; that if it be of the latter description, the several states have a right to pass bankrupt laws for themselves until congress shall esta-

blish a *uniform* system on the subject: that an insolvent act extending to past as well as future debts is not a law "impairing the obligation of contracts," within the meaning of the constitution: and that a federal court, sitting within this state, is bound to support a discharge under such law against the claim of a foreign creditor, although the debt due to him may have been contracted and made payable at his place of residence.

The present verdict must, therefore, be set aside, and a verdict and judgment entered for the defendant.

☞For two or three years past, by direction of the "SEVENTY-SIX ASSOCIATION," of Charleston, S. C. the editor of the *Weekly Register* has been favored, in a very flattering manner, with a copy of the annual orations delivered before it on the 4th of July. That on the late anniversary, pronounced by *Benjamin Elliott*, esq. has been received—and, it is well observed by the highly respectable committee presenting it, that "the energy with which this production upholds the republican cause, and the eloquence with which it illustrates its principles, give it, as we conceive, strong claims to your perusal and that of every other patriotic American." Heartily subscribing to this opinion, we shall endeavor, as soon as relieved of our present heavy engagements, to give it a place in this paper, for its more general circulation.

THE TOUR OF THE PRESIDENT.

Several of our friends have very good humoredly queried, whether the plain republican character of the WEEKLY REGISTER was not rather compromitted by the space allowed in its pages to accounts of the forms and ceremonies attending the "President's tour," &c. The editor thinks it is not: a belief that these things belong to the history of the manners and feelings of the times, and an assurance that they will be frequently referred to hereafter for various useful or amusing purposes, led him to give them so much in detail. His own views of things are entirely repugnant to the pompous proceedings of his eastern brethren: so much so, that understanding Mr. MONROE was on a tour of *business*, with a pointed intimation that he wished to avoid any mark of public respect from the people as he passed along, —he, valuing the services of the president and yielding obedience to his wishes, carefully kept himself from every place where it might be expected to meet him, during his stay in Baltimore. It seems impossible that, encompassed with a crowd —at every hour intruded upon, and beset at every turn and corner by an idly gazing multitude, Mr. *Monroe* can either perform his public duties so easily, or enjoy himself as a private gentleman would do, under other circumstances—and it was these united considerations led us to the procedure just stated; nor can we conceive a situation more unpleasant than that of man's not having a moment at his own disposal. These things are mentioned to shew, that, in recording the events of his tour, we do not approve them—and that that disapprobation arises from our wishes for the public service, with the private convenience, of the president of the United States. Besides—there is *danger* in pomp and parade. "Caution is the parent of security."

Banks and Bank Notes.

The editor of the WEEKLY REGISTER is not ignorant that among the directors of our banking institutions there are many of the best, most honorable and most honest men living; and that many such establishments are, *or are designed to be*,* conducted on their original principle. But he is not less informed, and the fact is notorious to every body, that excessive banking has opened a door to systematic speculation and deliberate fraud unparalleled, perhaps, in any country—which strikes chiefly, if not entirely, at the poor and needy, the struggling and laborious classes of society. To the former description of persons the editor respectfully offers his homage; calling upon them to interpose their wealth and influence to protect labor from the vultures that are preying upon it—for the other description, he wishes voluntary repentance, or coerced justice—promising them his best endeavors to effect the one or the other.

As honest a man as ever lived may be unable to pay his debts. But no honest man, so situated, will live profligately, and spend double the amount that he ought to do.

To apply this proposition to a fact that has just came under my observation, tending to shew the speculating conduct of some of our banking institutions: I see an advertisement in a public newspaper, that a certain bank has declared a dividend of FIVE *per cent.* for the last *six* months, which bank does not honor its notes, the same being 7 or 8 *per cent.* below a specie value, or the notes of another bank in the same place: the latter, with honorable efforts to meet its engagements, having made a very small dividend, if any at all, for some time past. I do not know which is most to be admired—the impudence of the bank in thus proclaiming its own shame, or the patience of the people in submitting to so gross an imposition. There is every reason to believe that this bank might have met its engagements, if it had been as *zealous* for its own honor as to make a *profit* by its business. It is understood to hold a considerable amount of the U. S. stocks, which are convertible into specie at an hour's notice, for at least *par*, though purchased at 10 or 12 or 20 *per cent.* below it: but, by holding on to this, while the people demean themselves by not refusing their depreciated paper, they make a *double* interest—and this is too severe a temptation for their virtue to withstand! Really, really, there is a degree of assurance in it that shocks me. In such a state of things, why is not the dividend, or *profits*, applied to a payment of the debts of the bank—why is not the U. S. stock sold to liquidate them?

Now, let us take it on the other side: If this bank holds the *paper* of individuals, whose notions of mere *convenience* or designs to make a *profit* by it, will not permit them to retire in due season, *according to specific engagement, as well as their promise expressed on the face of it*—what would the bank do? The directors, assembled in august conclave, would instantly pronounce the makers of such paper *dishonest*, as well as *impudent*, and direct the sheriff, on judgment obtained, to seize upon and sell the very beds of such *contumacious* persons!—Yes—and I say they would do what is right. I have no pity for a man that suffers *convenience* to stand

*The attention of all is requested to this expression, marked in *italic*. The truth is, that there are very few of the banks, that, through some *cunning* directors or *cute* officers, are not, more or less, made a medium of speculation and imposition on the public. I know some *queer* things which a regard for my informants forbids a present publication o

in the way between him and the payment of his debts due.* But—this "rule works both ways"—the misfortune is, that the men able to exact justice, plain simple justice, of the banks, are so generally parties to their *speculations*. I say "speculations," because the people are not yet prepared to hear the *right* name that such conduct deserves. But they will too soon be prepared.

Another exceedingly convenient method has been adopted to fleece the people. A bank, at "*Owl Creek*"† for instance, employs an *engraver* and a *paper maker*, (who are now very important persons in the making of *banks*) and issues a number of notes, payable or redeemable in some city, or at some place, where a large part of the business of the people about the said *Owl Creek*, for instance, as afor said, is centered. For a while, these notes are faithfully paid or redeemed, being cautiously given out, and obtain the entire confidence of the people. This first part of the scheme being accomplished, immense issues of such bills are suddenly made, and loaned by the directors to each other. The farmer confidently sells his produce, and the mechanic cheerfully gives his labor for them. *And then, they are not paid or redeemed as promised, and down they go*—"*seven and a half to ten per cent below par*," and are bought up at that depreciation by the very persons who put them first into circulation to meet their own engagements at the bank, at *par*. The difference is clear profit—for the interest paid to the bank for the use of its notes, is returned to the borrowers, as stockholders, in dividend. I know a person that by one of these operations lost 100 dollars; an amount probably greater than the profit he made on the article for which he received the notes. I cannot see why *counterfeit* notes, to the amount of that loss, might not as well have been imposed upon him. Nay, it were better that it had been so; for if he could not have recovered the money of the person deceiving him, he might, perhaps, have caught him and punished him as he deserved.

Independent of these *legitimate* frauds, the people suffer excessively by other *speculators* who also take the liberty of making *bank notes*. The country is full of *counterfeits*, or of bank notes of places where there are no banks; and we can hardly take up a newspaper without seeing some caution on the subject, or an account of some "notorious" villain detected, &c. This latter evil has its birth chiefly in the former one, and will advance *pari passu* with it; and they are more nearly of a *kindred* quality than many have thought of. The manner and operation is different, yet the effect is the same. But, by the first, one man rides in his coach—and, by the second, another saws stone in the penitentiary. Hundreds of men have been hung in *England*,‡ whose aggregate depredations on the public have not equalled those of many individuals of our bank directing *speculators*.

There is no real scarcity of specie to justify the refusal of some banks to pay it, and of most to deal it ought as though it were their heart's blood. Very large quantities of it are received from all parts—Mexico and South America, England, France, Holland, Germany, Italy and Turkey, with the West Indies, &c. contribute to our stock. It is the opinion of many, and I think it is a fact, that there never before was so much gold and silver in the United States as there is now—perhaps by one third or an half of the whole quantity; but the banking mania, with the speculations that have followed it, has given to the precious metals more value than they used to have. At a majority of the banks who nominally affect to honor their notes, they look upon a man as a sort of an enemy who asks them to pay *a debt of ten dollars*. It is this foolish and niggardly practice that keeps a specie circulation scarce—and it is to such banks that we are indebted for all the inconvenience that arises from its real or supposed greater value. If they paid it out freely and by common consent, they would receive more of it than they would pay out, except of small pieces for change. But here is the secret—deposits of specie bring them no interest—the United States' stock do; and the public right or convenience is laughed at when it comes in contact with the profit of the stockholders. I have heard of a *bank* that prefers paying interest to another for a greater amount than its capital and trust to the chapter of accidents to reduce it, rather than part with its U. S. stock, at *par*. This is a part of the new system of things; if a person, ten years ago, had said that such an event could happen to a respectable institution, the people would have called him a fool.

Every body knows that these things are so—and every body, in the neighborhood of banks whose notes have not a *specie* value, writhes under their oppressive operation; yet such is the terror of these institutions, so great their hold and influence on the public mind and feeling, that they go on, *bankrupts* as they are, with a high hand, and laugh at the petty obligations of *honor* and of *law*, which they so rigidly exact of others! *This is true.* "We have fallen on evil times," indeed—can we think that there is a conspiracy among the rich to oppress the poor, and reduce them to *subordination*? Alas! it looks too much like it. The spirit of a people, that Great Britain in two wars, with all her armies and navies, could not break down, yields to the influence of *old rags*, and submits, without a struggle, to a grievance of far greater magnitude than the imposition of a paltry tax of 2*d. per lb.* upon tea! The truth is, and the length and the breadth of the matter is this, that PUBLIC OPINION, aided by the *law*, must reduce the influence of the banks,—or the banks will reduce a great and mighty people to the condition of the inhabitants of Sparta—in which were two classes, *Spartans* and *Helots*.

I have a large fund of facts belonging to these things that would make some bank directors open their eyes with astonishment; and they shall be brought forward, from a sense of public duty, *if I find the people able to bear them*. Let the maxim that I have always endeavored to impress on my readers be observed—a villainy is a villainy, be it committed by whom, and when, and where it may. Person, time or place, does not alter the nature of things. *England* had no more right to kill or imprison the "*legitimate kings*," of Asia, than *Bonaparte* had to serve others of Europe in the same way.

*It *may* be right for a man to avoid a *sacrifice* of his property to pay his debts. But he that will not sell any mercantable thing that he has, at a *fair price*, to pay them, cannot be ranked as honest.

†It is said there is a *bank* somewhere called the "Owl Creek Bank." They are so numerous and so easily made at present, that they are "hard run" to get names for them!

‡The natives of England generally call their country *Hengland*. Some very learned men suppose this to be a corruption of the word HANG-*land*—which it appears to deserve from the frequent *hangings* of the people. There are more persons, probably, put to death for crimes against the civil law in the united kingdoms, than in all the rest of Europe and America.

What portion of the people are interested in the dividends of the banks, to any considerable extent? Hardly one in a thousand. Who, that is in business of any sort, is not interested in their good conduct? Nine hundred and ninety-nine in a thousand. Are so many to be sacrificed for the benefit of the few? Banks were instituted for the public good, but what is their general operation? Why—while Mr ———, *speculating* in the funds and giving luxurious dinners, &c. might get 50, 100, or 200,000 dollars from several banks, and of several of them, perhaps, at a time, some two or three hundred regular traders or hard-working mechanics, were deprived of the little accommodations they had had to make room for the mammoth. And thus, to a greater or lesser degree, it is every where. Such vast sums of money have lately been made by dealings in stocks, *shaving bank notes*, &c. that many want to dabble in them. How convenient then is it to have the direction of a bank, which may now be called a *money-making machine!* The idea of a bank used to be as of something safe and steady, rigidly honest and highly respectable—what is the idea of it now?—as of a thing to grind down the poor.

Emigration.

Account of emigrants from foreign countries arriving in the United States—collected from the shipping lists received at the office of the WEEKLY REGISTER, *for* two weeks, *ending yesterday morning, Aug.* 1.

Tables like the following are calculated to interest the political enquirer. They afford data on which more extensive calculations can be made, and are useful to the historian and others. This list was commenced on Friday, the 18th of July, without any regard to, or idea of, what it would produce, and kept up from day to day as we received our newspapers by the mails. But oftentimes, when there are only a few passengers, they are not noticed, and some that were mentioned may have escaped our notice. The amount is, probably, about five-sixths of all who arrived in the fortnight.

Fable tells us that Saturn devoured his own children, by a contract, arising from jealousy or the love of self-rule. It is thus that many European nations act. They had rather that their people should perish at home, than suffer them to emigrate, and, possibly, strengthen the power and add to the resources of another country. The degree of suffering must ever be very great to rouse a courage sufficient to cause many to leave the tombs of their ancestors and fly to a strange land from whence they never expect to return; but to this, and all the strong ties that unite with it, many *regulations* are added to check it, or render it impossible. It requires a little fortune for a man and his family to leave the British dominions, at this time. Vessels are severely limited as to the number of passengers they may carry, and the cost of a passage is proportionably dear. It is virtually prohibited to the poor, and denied absolutely to mechanics and manufacturers. On the continent, also, measures have been taken to circumscribe emigration; but still it is powerful, and will increase. We have room enough yet; let them come. The tree of liberty we have planted is for the healing of the people of all nations that will come under its shade: not selfish, for our benefit only. But the emigrants should press into the interior—in the present state of the times we seem too thick on the maritime frontier already—within, there is ample and profitable employment for all, in almost any branch of business; and strangers should be encouraged to seek it there.

Vessels' names	*Where from*	*Arrived at*	*Passengers.*
Andes,	Liverpool,	New-York,	40
Erin,	—	—	38
Betsey,	—	—	45
Emulous,	—	—	65
Golconda,	—	—	34
Favorite,	—	—	14
Thomas,	—	Philadelphia,	50
Financier,	—	—	40
Jefferson,	—	—	35
Henry Clay,	—	Baltimore,	44
Andes,	—	Savannah,	42
Sarah & Sophia,	London,*	New-York,	93
Richard & Ann,	Hull,	Philadelphia,	50
Phocion,	—	New-York,	40
Dykes,	Beaumauris, Wales,	Baltimore,	13
Dinas,	Carnarvon, do.	New-York,	43
New-Jersey,	Cork,	Baltimore,	25
Alpha,	—	Philadelphia,	50
Concord,	Dublin,	Boston,	24
Only Son,	—	Philad-lphia,	20
Calpe,	—	New-York,	30
Vigilant,	Belfast,	—	23
Nicholai Paulowitch	—	Baltimore,	66
George,	—†	New-York,	160
Columbia,	—‡	Philadelphia,	87
Britannia,	Newry,	New-York,	27
Jason,	Londonderry,	Baltimore,	54
Helen,	Kilkaldy, Scotl'd,	Norfolk,	101
Helen,	Leith,	New-York,	33
John,	Amsterdam,	Philadelphia,	400
Vr. Catharine,	—	—	280
Mars,	—	Baltimore,	126
Philip,	Hamburg,	—	90
Support,	Havre de Grace,	New-York,	10
Mary,	—	—	11
Eucharis,	Nantz,	Boston,	10

RECAPITULATION.

England,	640
Wales,	51
Ireland,	581
Scotland,	134
Germany and Switzerland, via Amsterdam, &c.	829
France,	31
	2272

By looking over the ship news to make out the preceding, we have reason to suppose that the number will be considerably greater for the next two weeks. Many from Holland being immediately expected.

It is worthy of remark, that some of these bodies of passengers have reached the United States, via the British possessions. Perhaps, to avoid the exact scrutiny that might have been made if they had taken their passages direct.

President's Tour.

The president entered *Newburyport*, escorted by the civil and military officers forming a great cavalcade, amidst discharges of cannon and the huzzas of the people. At Bartlet mall he passed under a civic arch, tastefully decorated with flowers, and through an avenue of the youth of both sexes, arranged in order, amounting to 1850; neatly dressed, and full of health and animation. A flag of old times was displayed at the court house. On alighting at the hotel, he was greeted by the shouts of the multitude. After these plaudits had subsided the chairman of the committee rose and addressed, the president as follows:

SIR—The citizens of Newburyport, by their committee, beg leave to present their sincere respects to the *chief magistrate of the United States.*

Having been called by a free and intelligent people, to preside over their most important concerns, it must be peculiarly grateful to your feelings, at the commencement of your arduous duties, to be made more particularly acquainted with their local interests, and to receive their respectful and affectionate salutations. It is no less pleasing to us than happy for the nation, that we derive the honor

*Via Halifax, where they arrived, with a view of coming to the United States.
†Via St. Andrews. ‡Via Lubec, in the District of Maine.

of this interview, from the practical operation on that maxim of your illustrious predecessor, the father of his country, in his last affectionate address to his fellow citizens, that "timely disbursements to prepare for danger, frequently prevent much greater disbursements to repel it." A numerous and wealthy population, stretching along an extensive sea-coast, presents to a foreign enemy many alluring objects of attack; and the present period of peace and public tranquility appears peculiarly favorable for your patriotic efforts for our independence and security.

Enjoying as we do the blessings of a free government, our attachment cannot be the less ardent, when administered by one, who took so honorable and active a part in those measures by which it was obtained. We trust, that under your administration, by the smiles of a kind Providence, a spirit of peace will be generally diffused, the venerable and pious institutions of our fathers preserved, and the citizens meet their appropriate rewards, in the labors of agriculture, manufactures and commerce, and in extending the sciences and the arts.

Accept, sir, our best wishes, that you may be prospered in the important objects of your journey, and at the close of your labors receive a consolation, the most dear to a patriot, in the happiness and prosperity of the country.

To which the PRESIDENT *was pleased to reply, in substance, as follows*:

That he received with great sensibility the attentions of the citizens of Newburyport—that his principal object, in making this tour, was to see the situation of the people, in different parts of the country, and the entrance and harbors of the principal towns, and to acquire such information as would enable him the better to discharge the duties of his office—that in his journey he had been highly gratified with the prosperous condition of the people, and that their situations were far more happy than that of any other in any part of the world—and that we could not be sufficiently thankful to that bountiful Providence which had conferred upon us such distinguished blessings. The president concluded with desiring, that his grateful sentiments for the the kind and respectful manner, in which he had been received by the citizens, might be communicated to them.

At dinner, Gen. Swift announced the following as the president's toast—*Happiness and prosperity to the inhabitants of Newburyport*

After dining, having expressed a wish to dispense with the escort of cavalry, he sat out for Portsmouth, which he reached the same evening; stopping at Amesbury an hour to view the valuable factories there. At Newburyport, the *Herald*, speaking of the new feelings that the visit of the president gave rise to, observes—"The public mind though long employed upon narrow and contracted systems of politics, was now directed into another channel. Convinced of the incalculable advantages to be derived from the liberal encouragement of liberal feelings, it continued no longer to turn from that course, in which its influence would be most effectual; but freed from every unworthy fetter, it indiscriminately embraced "all as federalists—all as republicans."

"Did we record every incident with minuteness and precision, we should exceed the limits of our paper. Suffice it to say, that every circumstance awakened grateful emotions—nothing occurred to damp the general joy, for all appeared to be "musing praise, and looking lively gratitude."

As a contrast to the preceding and to other articles of like pleasing character which we have copied from the Boston papers—we insert the following from the *Albany Gazette*, as a finished specimen of "the sublime and beautiful"—

"We have often heard some considerable surprize manifested that the Yankees of Connecticut and the Bostonians should be so very over earnest to show their regard for president Monroe. It is well known, as we have before mentioned, that the states of Connecticut and Massachusetts, have a considerable claim against the general government for expences incurred during our "second war for independence," which yet remains in force:—But it is much easier to tell a story than to write an essay. A pious Irish catholic who had taken his station before the mast of an Indiaman, was put in great consternation by a tempest that rose soon after he had put to sea. In this dilemma he endeavored to propitiate the virgin by promising to light a taper before her shrine that would be larger than their main mast, if she would suffer him once more to set his foot on dry land. His comrade cautioned him that he never would be able to fulfill his engagement. "Be asy, my honey," says he, "don't you see that I am only coaxing the hussy!"

"With respect to the above claims of Massachusetts and Connecticut, although they have been refused, yet we venture to predict, that within two years, they will be paid by the general government to the utmost farthing." [*They will not.*]

On his way to *Portsmouth*, the president was met at Greenland by a cavalcade of citizens and an escort of cavalry, and entered the town under a discharge of artillery, with the ringing of bells, &c. The children from the different schools, in neat uniforms, to the amount of 1000, lined a part of the avenue through which he passed. In Market-street he passed under an arch, tastefully formed by the ladies. At Frost's hotel the address was delivered to him—The Portsmouth regiment then passed in review and paid him a marching salute; after which the citizens waited upon and were introduced to him. Gov. *Plumer's* sickness prevented his attendance. On Sunday, the 13th, after church, he visited the widow of the patriot *Langdon*, and on Monday inspected the navy yard, forts, &c. and received an address from the associated mechanics, &c. and left town early the next morning.

To the president of the United States.

SIR—The presence of the chief magistrate selected for eminent virtues and public service, to preside over and direct the councils of a great nation, must always excite feelings of the highest interest. The inhabitants of the town of Portsmouth, remote from the seat of the general government, can expect few opportunities of witnessing such a gratifying scene. We therefore eagerly embrace this fortunate occasion to present our ardent and sincere congratulations.

Engaged chiefly in the business of commerce and navigation, we know our destinies are, in a peculiar manner, dependent on the measures of that government, to which the protection of those important objects is exclusively confided. These enterprizing pursuits, which have always been greatly contributory to the general welfare, are now suffering under a temporary depression. But we have entire confidence, that the wisdom and justice of government, will extend to them all the protection and support, that shall be in its power.

To superintend and conduct the national concerns has always, in free governments, been the favorite employment of the best and greatest men. By no other means can an individual of distinguished tal-

lents so eminently promote the public good. The successful performance of such duties must, at all times, constitute a sure claim to the gratitude of a generous people. This, Sir, is the arduous and honorable service, which is entrusted to you, by the citizens of the United States.

Sensible how greatly the national prosperity depends on the due administration of the government, we recall to our recollection, with much satisfaction, the numerous pledges of attachment to the public interest furnished by the history of your past life. It is our earnest and confident hope that your administration, by perfecting our valuable institutions, and by uniting public sentiment, and wisely directing it to proper national objects, may fulfil the present happy anticipations, and thus establish on a firm basis your own and your country's happiness, honor and glory.

J. MASON, *in behalf of the Inhabitants of the town of Portsmouth.*

To James Monroe, President of the United States.

SIR—In behalf of the Society of Associated Mechanics and Manufacturers of the state New-Hampshire, we ask leave to present you their respectful salutations, and to express with unfeigned cordiality the satisfaction they derive from the visit with which you are pleased to honor this metropolis.

They are not unmindful that your numerous official avocations require your first attention, and must necessarily render your present tour through the country extremely arduous; consequently, the too frequent recurrence of formal addresses may become irksome, and even painful; yet they have presumed it not incompatible with duty or with the rules of propriety, to avail themselves of the present opportunity of expressing their public regard for the man in whom seven millions of people have reposed the highest degree of public confidence, and to whom they are indebted for the most important services.

We notice with peculiar satisfaction the attention which the arts and manufactures of our country have received from you, and view it as the harbinger of increasing prosperity, and as a mean of perpetuating our independence.

Accept, sir, our sincere wishes for your future health and happiness, and our assurances that no portion of the community can feel a more lively interest in your personal welfare than do the Associated Mechanics of New-Hampshire.

Abner Greenleaf,
William Simes,
Nuthl. B. March,
John Burley Hill,
David C. Foster,
} committee.

[To both of these addresses the president made "suitable replies"—not yet received.]

Leaving Portsmouth he was handsomely received at Kittery, York, Kennebunk, Wells and Saco.—Arches of ever-greens, flags and music and cavalcades and cheering, were every where displayed. At Kennebunk, after refreshments, the chairman of the committee of arrangements, in the presence of a vast crowd of citizens, delivered to him the following

ADDRESS:

SIR—The committee designated by the inhabitants of Kennebunk and its vicinity bid your welcome to Maine, and particularly that part of it in which they reside.—The novel spectacle of seeing among them the chief magistrate of the union, excites sensations of no ordinary class; and equally evincive of their strong attachment to the government of their choice and of their high respect for the man who has been called by the voluntary suffrages of the people to preside over it destinies.

In this visit, sir, our citizens discern your paternal solicitude to make yourself acquainted with the various sections of the country and the people, who inhabit them, and we are charged to assure you, that they have a deep interest in the progress and happy termination of your journey.

We congratulate you, sir, upon the present peaceful state of our country, and that your administration of the government commences under circumstances, so pleasant to yourself, and auspicious to them—and we assure you that our citizens have the fullest confidence, that the best interest of the people will be promoted; and their prayers to heaven are, that, at some future period, when you shall retire from your present elevated situation, you may receive the acclamations of the whole people, made happy, under an administration marked for its *wisdom*, its *mildness* and *spirit of conciliation*.

G. W. WALLINGSFORD,
in behalf of the committee.

The following (says the *Boston Centinel*) from an authentic source, is given as a correct report of the answer of the president to the address:

"MR. CHAIRMAN,

SIR—I ask you, and the gentlemen associated with you, to communicate to the citizens of Kennebunk and its vicinity, my thanks for the friendly reception which they give me, and for those testimonies of respect which they are pleased to manifest for the chief magistrate of the United Ssates. Be pleased to assure them that, on this as well as on other similar occasions, I am unable to express my emotions. To behold a free, an enlightened and a high minded people paying a spontaneous tribute of respect and affection to the man who is elevated to the chief magistracy of a nation, is in itself an imposing spectacle. To that individual, such a scene, you may well believe must possess a character of peculiar and appropriate interest—I have never before been so much affected. Such distinguished attentions, such unexpected effusions of regard, as I experience from my fellow-citizens, do indeed sink into my heart. They make me feel, if possible, a deeper sense of my obligations to devote all my faculties to their service.

It was my wish in the first instance, while on this tour to have devoted my attention exclusively to those public and national objects which I had in view. But finding that this arrangement did not comport with the feelings of my fellow-citizens, I relinquished it. Indeed, when I found a disposition so generally manifesting itself, to improve the occasion for a personal interview of the people with the citizen whom their voluntary suffrages had elevated to the highest office in their gift, and through him to exhibit the homage which they feel for the government itself, and the high value which they entertain for its republican form, I cheerfully yielded to their wishes. Nor can I ever regret, that I have thus afforded myself so many opportunities of seeing and feeling how much we are one people—how strongly the ties, by which we are united, do in fact bind us together; how much we possess, in reality, a community, not only of interest, but of sympathy and affection. I am the more led to make this remark because you are pleased to express a confident hope that a spirit of *mutual conciliation* may be one of the blessings which may result from my administration.—This, indeed, would be an *eminent blessing*, and I pray it may be realized. The United States are certainly the most enlighten-

ed people on earth. We are rapidly advancing in the road to national pre-eminence. Nothing but *union* is wanting to make us a great people. The present time affords the happiest presages that this *union* is fast consummating. It cannot be otherwise. I daily see greater proofs of it. The further I advance in my progress through the country, the more I perceive that we are all Americans—that we compose but one family—that our republican institutions will be supported and perpetuated by the united zeal and patriotism of all. Nothing could give me greater satisfaction than to behold a perfect *union among ourselves*—an *union* which, as I before observed, is all we can want to make us powerful and respected—an *union*, also, which is necessary to restore to social intercourse its former charms, and to render our happiness, as a nation, unmixed and complete. To promote this desirable result, requires no compromise of principle; and I promise to give to it my continued attention and my best endeavors. For the good of our common country I feel that I am bound constantly to act. So far as integrity and zeal are concerned, I can confidently say that I shall not be found wanting; and if I shall fail in the discharge of duty, it shall be from want of judgment. I also hope that I shall be enabled actually to improve all the opportunities, which the station to which I have been called shall afford me, to advance the interest, the honor, and the felicity of our beloved country.

Be pleased, sir, to communicate to the citizens whom you and your associates represent, my best wishes for their individual prosperity and happiness."

He then took up his journey for a little way on foot—passed the bridge highly decorated, and through a long avenue of ladies and gentlemen and children—the "star-spangled banner" frequently greeting the eye. When he entered his carriage, the people bade him adieu with loud plaudits.

Proceeding to *Portland* he crossed the bridge, ornamented with green branches and flowers, numerously attended—the "*flag of our nation*" joyously floating among them. A *live eagle* flapped her wings in front, and was released to her native region. The Portland regiment was reviewed by him; and the children, 1500 in number, paraded—the females strewing flowers before him. There were fire works and illuminations in the evening. The next day he visited Forts Scammel and Preble, received the visits of the citizens, waited upon the widow of com. *Preble*, and spent the evening with a large party at Mr. Clap's. While at Portland, a *calf* was exhibited to the president, one year old, that weighed 1300*lbs.*

PROVIDENCE ADDRESS.

To the President of the United States.

SIR—The citizens of Providence beg leave to offer to you their sincere and cordial congratulations upon your arrival in their town. With the most sensible pleasure, they again see among them the first magistrate of the union, under a constitution, the adoption of which they so earnestly desired, to which they are so devotedly attached, *and from the operation of which they have derived so many advantages;* and have the honor of presenting their respectful address to you within their own municipal jurisdiction, as they have before had the satisfaction of doing to two of your illustrious predecessors.

The time and circumstances of your visit to this part of the United States are such as to excite in every mind the most gratifying and patriotic sentiments. A great and free people, in the full enjoyment of peace and good government, unanimously bestowing upon their chief magistrate, in his progress through the country, the unsought and spontaneous expressions of their good will and confidence, offers unequivocal evidence of general happiness and freedom, and is a spectacle which no country in the world except our own can now exhibit.

The proofs which you every where receive of the respect and confidence of the people, and of their reverence for our republican institutions, must be to your own mind a source of the highest satisfaction, and a rich reward for all *your arduous labors in the public service.* May you long continue to receive these rewards, so grateful to your heart and *so honorable to your character*, and to witness the increasing prosperity of the republic, *to whose service, in the field and in the cabinet, both your youth and your mature age have been so* FAITHFULLY *and so* SUCCESSFULLY *devoted.*

We have the honor to be, with the highest respect, in behalf of the citizens of the town of Providence, your most obedient and very humble servants,

William Richmond,
Oliver Earle,
Richmond Bullock,
Stephen Tillinghast,
Stanford Newell,
Richard Jackson, jun.
Thomas P. Ives,
James Burrill, jun.
James Fenner.
Edward Barrington,
Samuel G. Arnold,
Jeremiah B. Howell,
Caleb Earle,
William Church,
John Carlile,

THE PRESIDENT'S ANSWER.

GENTLEMEN—I receive with great satisfaction, the address which the citizens of Providence, through their committee, have been pleased to communicate to me. The pleasure of my journey has been greatly enhanced by the uniform kindness and promptitude with which the objects of my visit have been seconded by my fellow-citizens. Every where in our country the reflecting mind cannot fail to observe the blessings of a free government. Living under a constitution which secures equal civil, religious and political rights to all, it is a great consolation in administering it, that the people have formed so just an estimate of its value, and from rational conviction and not from blind prejudices are sincerely devoted to its preservation.

I hope that this just confidence in the stability of our government may continue to increase; and *if* it does, it cannot fail to produce the happiest effects, by encouraging a love of our country, and an honest zeal to promote its best and permanent interests. Happy shall I be, if my exertions in the public service shall be so far successful, that they may assist the industry and enterprize of my fellow-citizens in increasing the general prosperity.

JAMES MONROE.

To the committee of the town of Providence.

The following is a copy of the address of the committee of the town of Newport, R. I. to the president of the United States, with the answer of the president to the same:

To the President of the United States.

SIR—The committee of the town of NEWPORT, come to express the satisfaction felt by them and

their fellow-citizens at your arrival here, in the progress of your tour to survey the condition of your country, in relation to its military and naval defence.

Our means are adequate, and a state of peace is propitious to the attainment of the important object you have in view.

In manifesting so deep an interest in this great national concern, you enter auspiciously upon the high duties, which have devolved upon you, as the chief magistrate of the nation.

In viewing the general state of our country, we trust, you have had, and will continue to have, occasion to observe the beneficial effects of our free form of government, on the various interests and general happiness of your fellow-citizens; and that this view will add new force to your love of country, and new incentives to the exertion of your talents, to extend the influence of the national councils, in advancing the national prosperity.

Chris. G. Champlin,
Benjamin Hazard,
Stephen T. Northam,
Thomas G. Pitman,
Samuel Vernon,
Asher Robbins,
} committee.

Newport, June 23, 1817.

PRESIDENT'S ANSWER.

GENTLEMEN—I return my sincere thanks to the inhabitants of Newport for the kind manner in which, through the committee, they have expressed their approbation of my present visit. It is my anxious desire to promote the permanent interests of our common country; and to enable me to accomplish this with more success, I have deemed it important to examine the principal places adapted to military and naval defence.

In the progress of my journey I have received great satisfaction in witnessing the happy effects of a free government, in promoting the moral, physical, and intellectual strength of our country.

We may justly be proud of our situation, since all classes of citizens are secure in the enjoyment of their civil, religious and political rights; and may, by their own industry and enterprize, acquire a competent share of all the necessaries and comforts of life.

JAMES MONROE.

To the committee of the town of Newport.

[The president probably reached *Plattsburg* about the 24th ult. to which place we expect to follow his progress in our next.]

Foreign Articles.

ENGLAND, &c.

London papers to June 13.

☞*American flour was at* 32*s. per bbl. at Liverpool, in consequence of a demand from France.* It is fortunate that we in the United States shall have a great deal to spare. The double, perhaps, of our usual quantity.

A bill has been framed by the bench of bishops to enable them to appoint curates at discretion—its object to increase the influence of the dignitaries of the church. The London Chronicle, commenting upon it, observes—"We do not say that the power of the bishops has ever been abused—*we dare not say so.*"

The British have a sloop of war called the "*Erie*," in the Mediterranean.

A colossal statue of Bonaparte, 12 feet high, is to be placed in the hall of the duke of Wellington's house.

Purity.—By a publication of lord Cochrane, we observe that at the election of a member of parliament for Honiton, the votes of the electors were purchased at 10*l.* per piece, "by the bell of the town crier."

"Traitorous conspiracies," in various parts, are still hinted at—an intended "simultaneous rising in the northern and midland counties" of England is spoken of. Some arrests have been made at Sheffield and Wakefield.

Mobs of men, women and children collect in various parts of Ireland, and attack stores, mills, &c. for bread. In some instances they enter fields of potatoes and carry them off in their unripe state. Potatoes had been sold at 1*d. per lb.* American flour was 85*s.* per barrel. The troops are sometimes called in to *tranquilize* the people with the *reason* of the bayonet. A Cork paper gives the names of 23 men arrested as being concerned in some of these riots.

In Nottinghamshire "48 ringleaders" of those urging reform or asking bread, have been arrested. There have been riots in Derbyshire. Much is said about a supposed meeting of delegates that was to have been held in Yorkshire. Arms that were concealed are said to have been discovered. Arrests are made in many parts.

If half of what we hear from England be true, there is nothing wanting to a shaking of the throne, but a few men of character for leaders of the people.

The lord mayor of London has been elected to parliament, and immediately took his seat with the opposition. He pledged himself to keep to his post, and never give a vote that was not in favor of public liberty.

A "petition to the prince regent" was in circulation for signatures in London, praying him to dismiss his present ministers, and to dissolve the present parliament.

A pickpocket, lately tried at Bristol assizes, hearing some person speak about the distresses of the times, said—"Ah! they are very great; I have dipped into a hundred and fifty farmers' pockets, and have not found a shilling."

Progress of letters in England.—Lord Palmerston (secretary of war of Great Britain, says the Albany Advertiser) in a late debate in parliament upon the army estimates, stated that the diffusion of education among the lower classes of society, within the last few years, led to a great accumulation in the business of the military correspondence—from 900 to 1000 letters were weekly received, containing enquiries about the effects, arrears, and other particulars relative to private soldiers. In the year ending in March 1791, the number of letters sent from the office, were 7,004

In 1812, they amounted to	14,703
In 1816, they amounted to	92,420
And in March of the present year to	106,940

American 6 per cent stocks—104.

Forty three ships from the United States, arrived at Liverpool during the week preceeding the 13th of June.

A late London paper says, that a few days since about 1000 Saxon coins were ploughed up in a field in the parish of Docking, in a high state of preservation. "They are of various monarchs and archbishops; many of them in the time of the Heptarchy, and have probably been hidden 900 years."

The London papers tell us that "the princess Charlotte abstains from all crowded assemblies, and lives entirely at Clermont, on account of her *interesting situation.*"

Another paper says—"The account of her royal

highness (the duchess of Gloucester) having slipped down a step—is erroneous." It is also said, "we rejoice to learn that she is in fair way" to be a *mother*.

Now if these women were like *Barbara*, mentioned below, there would be some sense in "putting them in the papers"—"In the parish church of Boenning, in Wurtemberg, there is a tomb-stone in memory of Adam Straizmanns and his wife Barbara, whose union was blessed with no less than fifty-three children, viz. thirty-eight boys and fifteen girls."

FRANCE.

The French papers, regulated as they are, are dullness itself as to political news—more so than at any period in the time of Napoleon.

The celebrated general *Vandamme* has arrived at Philadelphia, from Amsterdam.

There have been some disturbances in France on account of a scarcity of bread stuffs—but the prospects of the harvest are said to be good.

A new census has been taken of the population of Paris, which has been found to exceed 860,000, being 20,000 more than London within the bills of mortality.

BONAPARTE.

A London paper tells us that Napoleon is always guarded by 14 centinels who draw up close towards night; and says something about an attempt he made to escape in a chest. To escape, it is added, is impossible. "From the island he is doomed never to stir—it is to be his prison and his grave." Yet these *kind* people complain that he is "sulky!"

SPAIN.

Ferdinand VII of Spain, has ordered that no likenesses of himself or his family, shall in future be published without the license of the royal academy. This measure has been adopted to prevent the personal beauty of royalty from being made a subject of ridicule.

The ungrateful creature is said to be as ugly in person as he is depraved in mind.

Spain is unsettled. The garrisons at many places are on a "*war establishment*." Gen. Milans, a *patriot* chief, has a strong and daily increasing force in Catalonia. Success to him.

The marine arsenal at Cadiz has been destroyed by fire. Loss estimated at a million of dollars

Mr. Meade yet remains dungeoned in the castle of St. Catalina. He is called "the victim of British ministerial influence at Madrid." His lady and children arrived at Baltimore a few days ago.

ITALY.

The influx of strangers at Rome is very great. A letter from that city states—"More than 4000 workmen are employed on public works; the excavations surpass all expectation; many valuable monuments have been discovered; we shall soon see ancient Rome again standing with her temples, groves and fountains."

Brevet of his holiness to the Senior and Canons of the Cathedral of Constance, Germany.

PIUS P. P. VII.

To our beloved sons! Health—

Your epistle to us of the 18th of last month, with which you communicated to us the decease of the archbishop of Ratisbonne and head of the administration of the church of Constance, and at the same time, the transfer of the office of the capitulary vicar to the baron, Ignace Henry of Wessemberg, has caused great pain to us. You cannot be ignorant of it being very well known, that for the most important reasons, the said baron, Ignace Henry of Wessemburg, has incurred our deep displeasure, insomuch as to render it incumbent on us to dismiss him from the trust of a general vicar, which he before held. How has it then happened, that forgetting the reverence due to us and the holy see, you have elected that very man capitularly vicar whom we could not retain in a station of much less dignity and trust, that of general vicar? And not satisfied with this violence, you have dared to forward a request to us for a sanction of this your election.

To this request, however derogatory to the holy see it may be, we shall answer in mildness and sincerity. That not only do we absolutely refuse to sanction the election of the said baron Ignace Henry, of Wessemberg, as a capitulary vicar, and protest against it; but that we do at the same time protest against and refuse to acknowledge Antony Reiniger, as his substitute: and our pleasure is, that neither shall our ecclesiastical courts acknowledge the one nor the other in the stations to which you have chosen them, nor shall we take any notice whatsoever of any writings sent on by them. Therefore, in virtue of the sacred trust confided to us by Almighty God for the whole church, we therefore command you, laying aside the aforesaid spurious election of the said baron of Wessemburg, to elect a capitulary vicar of a good reputation from amongst the members of the catholic church, one competent to know and execute exactly and steadily the duties of the office to him confided

This letter may grieve you, but may it lead to the grief of repentance, so that you may be led to yield obedience to the holy church, and therefore give to us speedily that relief from our anxiety for you, which has preyed upon us so much; and that there may be an immediate removal of the evil which you have committed.

In the full expectation thereof, we bestow on you with tenderness our apostolic benediction.

Done at Rome, on the 15th March, of the year of Grace 1817, and of our Papacy 18.

PORTUGAL.

A most formidable plot against "legitimacy" has been detected at *Lisbon*, which had for its purpose to cast off the house of *Braganza*, and elevate the young duke of Cardival to the throne. Many persons of high standing appear to have been concerned in this scheme, which was designed to have been acted upon on the 5th of June, being the feast of Corpus Christi; and a part of it said to have been to have murdered all the English. But marshal *Beresford* heard of the plot, and, before they were aware of it, seized the conspirators in their beds, and so far the thing was ended. The city remained tranquil under the care the troops, and the trial of the "traitors" was soon to commence.

☞It is intimated that the plot was *got up* by general *Beresford*, himself, that he might put down some persons that he hated or feared, and possess a more despotic power in the affairs of Portugal. "Plots" are among the arts of able politicians to effect their purposes.

NETHERLANDS.

About the middle of May it was proposed in the Ghent and Brussels papers to establish throughout Flanders an anti-British society, every member of which was required to make oath, that he would not buy, wear, or use, any article of British produce, or of the growth of British colonies. Their motto, *Nihil Anglicanum*—their model, the Holy alliance formed by the continental sovereigns for the support of legitimacy.

Commerce is very dull in Holland. It will be a long time before the Dutch recover themselves, so as

to be again carriers for Europe, &c. if ever they do. The shipping of England and of the United States must first decline much below their present rank and importance.

The state of the poor appears to be as miserable in Flanders as any where else, being nearly in a state of starvation.

SWITZERLAND

The goverment of Basle has just announced that it will deliver no more passports for the *United States*, but to such emigrants as shall exhibit at the chancery a bill of exchange of at least 200 florins upon Holland, payable at Amsterdam. This measure has the advantage of preventing inconsiderate resolutions and their disastrous results.

GERMANY, &c.

Austria has appointed a consul general for the United States, maj. *Weiss*. This appointment has been made in consequence of the trade of the port of Trieste with the United States. That city carries on more trade with this country, than with any other country.

It is said that there are forty thousand weavers in Prussia, who for want of employment are unable to furnish subsistence to their families. [The Prussian council having admitted British goods.]

It appears that the beautiful bridge over the Elbe from Hamburg to Harburg, built by the French, is to be pulled down. They write from Hamburg that they will be employed in demolishing it in the course of the approaching month.

The political affairs of Wirtemberg are still unsettled. The assembly, 67 to 42, have rejected the proposed constitution. On which the king dissolved the assembly and issued a proclamation declaring that the constitution, notwithstanding, should go into effect "as soon as it should be approved by a majority of the people in the several villages."

The intervention of the military has been necessary to quell a formidable disturbance of the people at *Munich*.

Darmstadt, April 8. There arrived a few days ago in the village of Arheiligen, in our neighborhood, a waggon with four horses, containing, besides some men and two women, twelve pretty and healthy looking farmer girls, none above the age of sixteen or below twelve, to stay there through the night. It was soon understood by the landlord from the waggoner, whom he knew, what the view of these travellers was in thus making their journey, the following story about them being made known, viz: that one of the travellers, a man, was a native of Wirtemberg, who had already crossed four times over from America, for the purpose of rendering assistance either by his propositions or his advice, and even by considerable advances, to all such as were inclined to emigrate to America. That this time, however, he was on his way with the view only safely to conduct these twelve young Wirtemberger girls into the *United States*, as brides for such of his countrymen as he knew waited for them, and who would, on no account, marry themselves with any but their own countrywomen.

SWEDEN.

Mr. Hughes, appointed secretary of the American legation at the court of Sweden, and, during the absence of Mr. Russel, *charge des affaires* of the United States at that court, has arrived with his family at Stockholm, and been very politely received.

RUSSIA.

We have some account of Kotzebue's voyage round the world. He has discovered several new islands in the South sea. At Easter island he saw no fruits of the seeds left by Peyrouse, nor any sheep or hogs—a single fowl was brought to him for sale.

It is said the Russian court will pass the next winter at *Moscow*.

The emperor has ordered 100 millions of roubles (50 millions of dollars) to be applied annually to the payment of the public debt.

BRITISH AMERICA.

Miss Burroughs, daughter of Stephen Burroughs, of bank note-making celebrity, lately received the white veil of the Ursuline nuns at Three Rivers, in Canada.

WEST INDIES.

Several of the West India islands are afflicted by the prevalence of a very mortal fever. Many of our countrymen are victims of it.

Died, on the 2d of July, at cape Henry (Hayti) the *prince of Hayti*, in the 40th year of his age.

"SPANISH" AMERICA.

The outrages of the present government of Buenos Ayres are attributed to the prevalence of an English faction. The gallant general *Carrera* was offered the choice of death or banishment, for some offence unknown. He preferred the latter, and was landed at Monte Video.

A division of the patriot troops, commanded by gen. Teran, in Mexico, is said to have joined the royalists, through the dissentions of their officers.

There are ten stout patriot privateers cruising in the gulph of Mexico, viz. The General Artigas, Invincible (brig), Invincible (schooner), Mexican Congress, Mexican, General Arismendi, Flying Fish, Gilpin, Hotspur, and Potosi.

The Havana papers have an account of the capture by the royalists of the Mexican patriot chief *Calzada*, who was called lieutenant-general of the north. This is considered as an affair of great importance.

The port of *Vera Cruz* is now closed against all foreign vessels—even those with provisions.

The London Courier says, a deputy from Buenos Ayres is said to be on his way to Vienna, to offer the "kingdom of Buenos Ayres" to an Austrian prince—upon his refusal it is to be hawked about to some other powerful court.

It is also said that the government of Buenos Ayres have offered to receive Charles, the brother of Ferdinand, for a king, if the latter will relinquish his claim to South America.

We hope these things are not true. But the administration of Buenos Ayres has lost our confidence.

FLORIDA.

Our latest accounts from Amelia anticipate that McGregor will fail in his expedition by delay in executing it. It is said he ought to have marched immediately on St. Augustine, and that all his forces are dissatisfied. Augustine, in the mean time, is said to have been strengthened.

Capitulation of the Island of Amelia.

Brigadier-gen. MacGregor, commander-in-chief of all the forces, both naval and military, des ined to effect the independence of the Floridas, duly authorised by the consituted authorities of the republics of Mexico, Buenos Ayres, New-Grenada and Venezuela, offers to Don Francisco Morales, *capitan del regimients de Cuba*, and commandant, civil and military, of the Island of Amelia, the following terms:

1st, The commandant, civil and military, Don Francisco de Morales, shall forthwith surrender the garrison of the island, with all the arms and munitions of war belonging to the king of Spain.

2dly, All the officers and troops of the garrison

shall surrender as prisoners of war, to be sent to Augustine or to the Havana, with their private baggage, which shall be respected.

3dly, The lives and property of all private persons, whether friends or foes to the system of independence, shall be sacred and inviolate; and to those who do not choose to join the standard of independence, six months shall be allowed to sell or otherwise dispose of their property.

4thly, The general also offers to the inhabitants of Amelia, whether friends or foes, who have absented themselves on account of the present circumstances, the privilege of returning to their homes, and enjoying the benefit of the third article of capitulation, and passports will be freely granted to all who wish to depart.

The preceding were agreed to between the commandant Don Morales and the secretary of general MacGregor,

Fernandina, 29th June, 1817.

FRANCISCO MORALES,
JOSEPH DE YRIBARREN.

Attest—BERNARDO SEGIN.

Approved, GREGOR MACGREGOR.

PROCLAMATION:

Gregor MacGregor, brigadier-general of the armies of the United Provinces of New-Grenada and Venezuela, and general-in-chief of the armies for the two Floridas, commissioned by the supreme directors of Mexico, South-America, &c.

To the inhabitants of the Island of Amelia—Your brethren of Mexico, Buenos Ayres, New-Grenada and Venezuela, who are so gloriously engaged in fighting for that inestimable gift which nature has bestowed upon her children, and which all civilized nations have endeavored to secure by social compacts—desirous that all the sons of Columbia should participate in that imprescriptible right—have confided to me the command of the land and naval forces.

Peaceable inhabitants of Amelia, do not apprehend any danger or oppression from the troops which are now in possession of your Island, either for your persons, property or religion; however various the climes in which they may have received their birth, they are nevertheless your brethren and friends. Their first object will be to protect your rights; your property will be held sacred and inviolable; and every thing done to promote your real interests, by co-operating with you in carrying into effect the virtuous desires of our constituents; thereby becoming the instruments for the commencement of a national emancipation. Unite your forces with our's until America shall be placed by her high destinies to that rank among the nations, that the Most High has appointed. A country by its extent and fertility, offering the greatest resources of wealth and happiness.

The moment is important. Let it not escape without having commenced the great work of delivering Columbia from that tyranny which has been exercised in all parts, and which, to continue its power, has kept the people in the most degrading ignorance, depriving them of the advantages resulting from a free intercourse with other nations; and of that prosperity which the arts and sciences produce when under the protection of wholesome laws, which you will be enabled properly to appreciate, only when you will have become a free people.

You who, ill-advised, have abandoned your homes, whatever may have been the place of your birth, your political or religious opinions, return without delay, and resume your wonted occupations. Deprecate the evil counsels your enemies may disseminate among you. Listen to the voice of honor to the promises of a sincere and disinterested friend, and return to the fulfilment of those duties which nature has imposed upon you. He, who will not swear to maintain that independence which has been declared, will be allowed six months to settle his affairs, to sell or remove his property without molestation, and enjoy all the advantages which the laws grant in such cases.

Friends or enemies of our present system of emancipation, whoever you be, what I say unto you is the language of truth; it is the only language becoming a man of honor, and as such I swear to adhere religiously to the tenor of this proclamation.

Dated at head quarters, Amelia Island, June 30th, 1817. GREGOR MACGREGOR.

JPH. DE YRIBARREN, *secretary.*

Gregor MacGregor, general of brigade to the armies of the United Provinces of New-Grenada and Venezuela, and general in chief of that destined to both the Floridas, with commission from the supreme governments of Mexico and South-America, &c.

Soldiers and Sailors—The 29th of June will be forever memorable in the annals of the independence of South America. On that day, a body of brave men, animated by a noble zeal for the happiness of mankind, advanced within musket shot of the guns of Fernandina, and awed the enemy into immediate capitulation, notwithstanding his very favorable position. This will be an everlasting proof of what the sons of freedom can achieve when fighting, in a a great and glorious cause, against a government which has trampled on all the natural and essential rights which descend from God to man. In the name of the independent governments of South-America, which I have the honor to represent, I thank you for this first proof of your ardor and devotion to her cause; and I trust that, impelled by the same noble principles, you will soon be able to free the whole of the Floridas from tyranny and oppression. Then shall I hope to lead you to the continent of South America to gather fresh laurels in freedom's cause. Your names will be transmitted to the latest posterity as the first who formed a solid basis for the emancipation of those delightful and fruitful regions, now in a great part groaning under the oppressive hand of Spanish despotism. The children of South-America will re-echo your names in their songs; your heroic deeds will be handed down to succeeding generations, and will cover yourselves and your latest posterity with a never-fading wreath of glory. The path of honor is now open before you. Let those who distinguish themselves look forward with confidence to promotion and preferment. To perpetuate the memory of your valor, I have decreed, and do decree, a shield of honor, to be worn on the left arm of every individual who has assisted or co-operated in the reduction of the Island of Amelia; this shield will be round, of the diameter of four inches, made of red cloth, with this device, "*Vencedores de Amalia*, 29th of June, de 1817, 7 *y* 1," surrounded by a wreath of laurel and oak leaves, embroidered in gold for the officers, in yellow silk for the men. The colors of the corps of national artillery, the first squadron of cavalry, and the regiment of Columbia will have the same device embroidered on the right angle of the colors. Long live the conquerors of Amelia!

Dated at head-quarters, San Fernandina, 1st July, 1817, 7 & 1. GREGOR MACGREGOR.

JH. DE YRIBARREN, *secretary.*

Honor to the Dead.

"BALTIMORE—GRAVES TO HER INVADERS, TO HER DEFENDERS A MONUMENT."—*Com. Porter's toast.*

"Dulci et decorum est pro patria mori."

On Monday last, "THE FIRST MECHANICAL VOLUNTEERS," one of the companies attached to the fifth regiment, erected on the spot where the advanced party under major HEATH was engaged with the British forces, a MONUMENT *to the memory of* AQUILLA RANDALL, one of the members, who fell in that skirmish. The company, headed by their commander, captain *B. C. Howard*, marched from town at an early hour; and having been joined on the ground, at 11 o'clock, by col. *Heath*, lieut. col. *Barry*, major *Steuart*, and several other officers of the regiment, the ceremony of putting up the monument was then commenced, and in a very short time completed, under the direction of Mr. *Towson* (lieutenant of the company)—Indeed much commendation is due to this gentleman (and no less to colonel *Small*, who assisted in the design) for the style and good taste in which the monument is executed. He has aimed at simplicity and neatness, and he has not been disappointed.

The monument is a pyramid of white stone, about four feet high, resting on a well proportioned pedestal, which bears the four following inscriptions:

[*On the side facing the road.*]

How beautiful is death, when earned by virtue.

[*On the opposite side.*]

SACRED TO THE MEMORY OF
AQUILLA RANDALL,
Who died, in bravely defending his country and his home,
On the memorable 12th of September,
1814,
Aged 24 years.

[*On the side up the road.*]

THE FIRST MECHANICAL VOLUNTEERS,
Commanded by Capt. B. C. Howard,
In the 5th Regiment, M. M.
HAVE ERECTED THIS MONUMENT,
As a tribute of their respect for
THE MEMORY OF
THEIR GALLANT BROTHER IN ARMS.

[*On the side down the road.*]

IN THE SKIRMISH
WHICH OCCURRED AT THIS SPOT,
Between the advanced party under
Major Richard K. Heath,
Of the Fifth Regiment, M. M.
And the front of the British column,
MAJOR-GENERAL ROSS,
Commander of the British forces,
RECEIVED HIS MORTAL WOUND.

Having completed the necessary labors of the undertaking, the company was then drawn up in front of the monument; the officers of the regiment attending by invitation were posted in front of the company, and captain HOWARD delivered, in a modest but impressive manner, the address, an imperfect sketch of which follows.

The address was remarkably appropriate—It is indeed to be regretted, that in yielding to the request for publication, captain Howard has not been able to collect from a failing memory, the whole address, as he delivered it. But there is enough left to challenge praise: not only for the judicious selection of topics, but also for the beauty and purity of his language.

After firing three vollies over the monument, the company was dismissed to partake of a handsome collation.

SKETCH OF CAPTAIN HOWARD'S ADDRESS.

My Friends and Fellow Soldiers—We are assembled on this day for the purpose of completing a design that we have long entertained. It is to perform one of those duties that can happen but seldom in the course of an individual's life, for wars, thank heaven, in our country, are not so frequent as to call upon us often to honor the memories of those who fall in her defence. But when it does occur, it is a duty for the performance of which we are bound by more than ordinary ties. We owe something to those who are dead—something to those who are yet unborn. So strongly do I feel this, that my imagination at this moment flies forward to the future, and my memory back to the past. I can picture to myself the sensations of those who in far distant days will contemplate this monument, while busy memory brings before me the scene which was exhibited here, and the melancholy event which has caused our assemblage at this spot. Let us turn our attention for a moment to the year 1814, when a black and portentous cloud seemed threatening to burst upon our country; when it had been vauntingly declared that all assailable places were to be laid waste, and our city rich with the gifts of commerce, and strong with the sinews of war, stood high on the list of proscription—But the spirit of the nation was roused, and the torch of military enthusiasm was lit at the flame of the consuming capitol. There the list of proscription stopped. With the points of our swords, we erased from it the name of Baltimore, and Baltimore was saved.—And whom had we to oppose? not a miserable rabble fighting for their rations alone; not an irregular and undisciplined enemy, but troops that had scattered the armies of France to the right and to the left in their march through Spain; troops inured to carnage and war, and flushed with thinking they had tamed the American pride at that ill-fated, unfortunate Bladensburg—Can we look back upon this contest with any less feeling than pride? Was there any thing in our conduct that should make us avoid recurring to that period? No—Thank Heaven, there was not—here we stood, and here we acted our parts—Here we all shared one common danger, and though the ball that bore the message of death as it sang through the air, took only one from among us; yet who is there might not have shared the same fate? who is there that might not have been that one? It well becomes us therefore to join heart and hand in placing some durable memorial on a spot so consecrated as this. This monument which we are now erecting, will stand as a solemn expression of the feelings of us all, as a solemn determination, that though the life of *Randall* was rudely and untimely destroyed, his name shall not perish from the face of the earth.

Our city, I am proud to say, has evinced no backwardness, no cold reluctance, to honor the memories of those who fell in her defence. She has placed in her bosom an ornament to her beauty, and a monument of her gratitude. She has erected in the midst of her busy streets an edifice whose towering column is destined to bear the names of those whose lives were offered up to save her from the hostile tread and the midnight terrors of an exasperated and ungovernable foe. Not a traveller can pass without stopping to admire the gratitude of Baltimore to her defenders. But I regret that the spot, which is made classic by the effusion of blood, the spot where the long line stood unappalled by the systematic advances of an experienced and disciplined foe, has been suffered to remain unnoticed. It is here where her civi-

zens stood arrayed in soldiers' garb, that honors to a soldier's memory should have been paid. To mark the spot be then our care. Let our monument arise, in humility proportioned to our number, comnared with the collected mass. Let the name of Randall be recorded on imperishable stone, on the spot where his life-blood streamed upon the ground. I scruple not to say, that though the lofty column does not rise above the tops of the neighbouring trees; though plain and unadorned with magnificent and expensive sculpture; the monument which we have this day erected is a proud, a noble, a splendid tribute to his memory. Who is there here, whose heart would not beat faster. whose pulse would not throb quicker, at the prospect of such a monument as this. For myself I could almost change places with him; I do believe that his death atoned for many a sin, if many a sin he had committed. To defend our country has ever been considered one of the highest, holiest duties that man has to perform; religious bigotry may tell us, that war is unlawful and a crime; but the honest, unperverted feelings of the human heart will always refuse to believe it. What—has Providence blessed us with a noble country, enriched with all the blessings of civilization and enlightened by the animating principles of liberty, only to surrender it up to the first invader? Shall we not keep what God has given us? He who suffers the fiery death of the warrior, whose soul has burst, not crept forth from its tenement of clay in such a cause as that, has well performed his part in life. The lamp of life, if it be not suddenly extinguished will waste slowly away; better to be extinguished in the midst of its brightness and leave the memory of its brilliancy behind it, than glimmer for years in the socket.

Near this spot another monument was earned, though ten thousand swords would leap from their scabbards to prevent it from being placed there. It was here that the haughty general who declared he did not care if it rained militia, atoned with his life for his rash opinion. It was here that they rained such a tempest upon his head as beat him to the ground. There let his memory—rest for us. If his government have done, what it is said they have, they have not only insulted the feelings of the American nation, but imprinted a foul and shameful spot on the memory of him they wished to honor. To assert that Ross was slain at Washington is as monstrous and inexcusable as to engraft upon his coat of arms the broken flag of the United States. How different is it with us. Truth, simple as the stone and pure as the color that glitters in the day, breathes in every word and action The honors we pay are those we think due. No more. With that sublime attribute of heaven, truth, engafted upon them, they can be looked upon with more pride by those who give them and the friends of him on whom they are bestowed, than the most pompous and lordly testimonials, framed to feed national vanity at the expense of history and fact.

My friends—I have done—We commit this monument to destiny and time.

CHRONICLE.

Plaster of Paris. A letter from Lubec, Maine, intimates that by some improvements of roads and water communications, we can be supplied with Plaster of Paris as abundantly and nearly as low from our own territory as from that of the British. Let these roads, &c. be made, and the import of the foreign commodity become a matter of revenue. This would be fair play, and further would secure to us the many advantages arising from the carrying of so weighty a commodity in the employment of our own seamen.

We frequently hear from our squadron in the Mediterranean—all well.

The harvest. We learn from every quarter of our country of the most productive harvest perhaps ever known in the United States; and a much increased quantity of grain was planted. The price of flour in Europe keeps up. See "Foreign Articles."

A Spanish ship with a valuable cargo, bearing the character of a prize to a Buenos Ayrean privateer called the *Mangero*, has been detained by a revenue cutter in the Chesapeake, and sent into Norfolk. She was bound to Baltimore. Several circumstances of a mysterious nature led to the seizure.

Great canal.—It is expected that 16 miles of the great canal in New York will be completed in the present year.

Interior trade.—From a Louisville, Ky. paper of July 7—Arrived at Shippingport, steam boat *Franklin*, 36 days from New-Orleans (having been detained 14 days) a distance of 1510 miles, with a freight that will clear 6,500.

Indian treaty. Governor Cass and gen. McArthur are shortly to hold a treaty with the Indians at Fort Meigs, with a view of purchasing lands of them, to facilitate the intercourse between the state of Ohio and territory of Michigan.

ANOTHER TREATY.—*From the Knoxville Gazette of July* 17.—We are enabled so state, on authority entitled to the fullest credit, that on the 8th inst. governor M'Minn and generals Jackson and Meriwether, commissioners on the part of the United States, effected a treaty with the Cherokee Indians, (by way of exchange) for a small tract of country on the north side of Tennessee river within the limits of this state, including little more than Sequatchee valley; and all the land south of Chatahoochee river, in the state of Georgia. It is expressly stipulated in this treaty, that the census of the whole nation be taken in the month of June next, with a view to ascertain the gross number of those on the Arkansas and White rivers, including all those on the east side of the Mississippi, who, on taking the enumeration, shall express a wish to remove thither—and that after the enumeration is taken, the Cherokee nation shall cede to the United States such portion of their country as those on the Arkansas and White rivers, together with all those who wish to remove, are justly entitled to from their numbers; for which the United States are to give them an equal portion of land on the Arkansas and White rivers—the bounds of which are designated in the present treaty.

Those that make their election to remove, are to be furnished with boats and supplies necessary to their removal, at the expence of the United States; each individual of the poor Indians to be furnished with a rifle gun, a blanket and kettle, or steel trap. There will be reserves of 640 acres allowed to the heads of families in the portion of country given up to the United States, should the individual claiming it reside thereon until his or her death, which will descend to their posterity in fee simple; but should they leave their reservations during their life time, such lands will become the property of the government. A reasonable compensation is to be made to those Indians who leave plantations, for their improvements.

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...æc olim meminisse juvabit.—Virgil.

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National Politics.—It is with much satisfaction that the editor presents to his readers a very learned and interesting investigation and argument of the great national question, mentioned in the Register of the 26th ult. to his enlightened readers. It is written by judge *Bland;* and will be concluded in the first pages of the subsequent number.

It is believed that this subject is worthy of deep consideration by every *statesman* amongst us; and, certainly, the present is as happy a time as can possibly occur to discuss and settle it, with others that grew up during the late war. We have more nearly *perfect* peace and comfort than, perhaps, any people ever enjoyed—party has lost its fervor, and our citizens have both leisure and inclination to seek truth, unprejudiced. The great maxim, that in peace we should prepare war, as well applies to the fixing of constitutional points as in erecting forts and building ships. And the editor, ever desirous to give to this paper a high and truly national character, invites, and, with much pleasure, will devote some of his pages to the insertion of a proper reply to judge *Bland's* arguments, if they are thought erroneous. He has only to express a wish that its length may not deter any one from a careful reading of it.

The great extent of the essay noticed above, has excluded, and probably will exclude from our next paper, the concluding number on "Political Economy," with several other articles in manuscript.

An "Attentive Reader" of Philadelphia, will please to accept the thanks of the editor for his communication, which shall appear next week; and an attempt will be made to improve his hints.

New arrangement and prospectus.

Two numbers more will complete the XIIth vol. or 6th year, of the Weekly Register. Considerations of much importance to the editor and of some interest to the friends of the work, induce him at this time respectfully, but most earnestly, to invite the attention of every one to the following exposition.

The present volume is so far designed to complete a *series*, as to be embraced by the proposed GENERAL INDEX. In other respects, the Register will be issued as heretofore—without much, if any, alteration as to its matter, manner or arrangment.

The intended volume of Revolutionary speeches, orations, &c. will be entirely *supplementary*, and have its own index; unconnected with the regular work, except in being calculated to match it by size of page, quality of paper, and in general appearance.

But there will be a change in the terms of the paper—of no consideration with its friends, but so much so to the editor as to constitute *the sole condition on which he, himself, consents to continue the publication of it*—it is, *that the usual subscription of five dollars per annum shall be paid to him in advance, by every one that receives it.*

We have frequently heard of "great effects from little causes." The *tea plant* of *China* brought about the *American* revolution; which originated the *French*; which convulsed the world!—This slight alteration in the terms of the Weekly Register may effect measures as important to *it*:—cause it to flourish like our own republic, or dash it prostrate as freedom lies in Europe—according to the manner in which the resolution is received. But the editor cannot see how it may injure or rightfully offend any one; and is satisfied that it will accomplish the following desirable things for himself:—

1. It will enable him to settle and close up his past business, which abounds with perplexed and confused accounts, and prevent them in future.—This object takes in claims due to him of a large aggregate, indeed—sufficient to make him easy and "comfortable"

2. It will save at least 1000 dollars a year for clerk-hire and other cash expences incident to keeping and collecting the accounts, and protect him from annual losses of a much greater amount.

3. And, what is most interesting to those who receive the work—it will allow to the editor at least *double* the time that he now has to devote to the *proper* business of conducting this work.

But to bring about these things, *it is indispensable that the subscribers should immediately communicate with the editor; the functions of all the agents being suspended for the present, as to debts becoming due after the present volume is finished:** and it is also requested and expected that every subscriber will forward his *arrears*, if any there are, with the *advance* for the year up to September 1818, direct, by mail, at the risk and cost of the editor, if any are pleased to make the postage an objection to the procedure. This suspension of the agencies is the result of much reflection—among the agents are many of the best and most generous of men, to whose friendship I would confide claims for millions, if I had them—but no way can be devised to effect this *general* measure but through *general* means—and I trust that my kind friends will not be offended by it. If I could think that any

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*Except at those places where subscribers have been *accustomed* to pay in advance, to which the bills will be forwarded next week. And as the accounts at other places are *adjusted* and *closed*, notices of a restoration of the agencies will be published. ☞*Very few gentlemen can be aware of the importance of effecting such adjustment* With *one* agency there is between 6 and 700$ apparently due, for subscriptions actually payable, and, in *many*, various sums from 1 to 300 dollars, in the list of names belonging to which are some of the most wealthy men in the United States. It cannot be esteemed correct to *point out* or *designate* the places where these things have occurred, and there seems no way of getting rid of the difficulty, originating in inattention, than by the measure contemplated. Subscribers, expecting to be called upon by the agent, have felt easy on the matter; the agent as neglected, or had too much business of his own to perform, the part he took upon himself to oblige me, and I have suffered.

such *ought* to be, I would abandon the great object of squaring up my affairs, rather than be guilty of an act so ungrateful. When this is done, I shall again entreat their good service, and trust that they will render it as heretofore. This regulation is not designed to apply to the receipt of *new subscribers*, except that their money must be forwarded in advance.

The rule as to payment in *advance* will be enforced, at every hazard. After the 4th or 6th number of the next volume, as the distance of the subscriber's residence may justify, the paper shall not be forwarded to any one that *neglects* to comply with this requisition. I cannot believe that it is unreasonable—and though every honorable effort will be made to extend the circulation and exalt the character of this work by a less divided and less distracted attention to its *legitimate* concerns, and every support will be thankfully received—it is wished to be understood, that the *quid pro quo* cancels *obligation*, and puts the subscriber and the editor only on a *par*. The idea has been encouraged, by the voluntary opinions of men most esteemed by the people of the United States, that the WEEKLY REGISTER is fully worth the price asked for it—but every one will judge and act for himself; and hereon let it rise to greater usefulness or altogether cease to be. It is mere *thoughtlessness* that gives so much trouble to publishers—gentlemen that will pay 10 or 20,000 dollars, on a single notice that it is due, suffer themselves to be dunned for a paltry sum due to their *printer*—not reflecting on the waste of time and derangement of business caused to both parties by it.

The following, then, are the terms on which this paper will be published—

It must always be paid for in advance—and the advance for the year ending in 1818, *with the arrears due, if any there are, is required to be remitted direct to the editor, at his risk, &c. as aforesaid, by mail, that the past business may be settled up with accuracy and without further delay. The notes or bills of almost any chartered bank nearest to the residence of a subscriber, will be received in payment. And that every gentleman may know how his account stands on the books of the office, he will find within this sheet something to shew him the* year, *or* years, *as the case may be, apparently due to September* 1818, *or to such other time within that year as it may extend to.** ☞ But in too many instances, by the receipt of monies from agents without directions to whose credit it should pass, the amount that *seems* due may be wrong: yet the proceeding will cause an enquiry to be instituted which will produce a satisfactory explanation—and, in the mean time, the sum *really* due may be forwarded as above.

The GENERAL INDEX and volume of REVOLUTIONARY SPEECHES, &c. are soon expected to be ready for the press. The editor ventures to promise that the former will meet the public wishes; for patience, itself, is impressed into our service to render it an easy and certain reference to every thing desired to be found. It will make a large volume, and the price of it, in sheets, cannot be less than *three* dollars. As to the other, we cannot speak so confidently: by the letters of the late gov. *M'Kean* to president *Adams*, published a few days ago, it appears that it was not the practice to make set-speeches in the old congresses as it is in the present, and much of the patriotic effusions of those memorable days are lost. Yet, many fragments have been gathered up, and there is, perhaps, few men in the United States better prepared to undertake this pleasing work than myself. If we fail in collecting a sufficiency of *revolutionary matter* to make a volume, there are other stores of rich things to resort to, and we flatter ourselves of an ability to give general satisfaction to do which, we expect the assistance of a learned gentleman, whose zeal for the work is only to be equalled by the indefatigability of his character, and the labor that he will bestow to give value to the compilation. The price of this volume will also be *three* dollars, in sheets.

It is important to ascertain the probable number of those works that will be required. They are too heavy, and we have not the funds to commence them on chance. Gentlemen wishing either, or both of them, will, therefore, forward the price of them, with their regular subscriptions—for after they are put to press, especially the *general index*, no one can calculate upon a copy unless so secured. Considerable loss has resulted from the manner in which the *supplements* to the several volumes have been disposed of; and the number to be printed of these weighty volumes shall be made to correspond with the subscribers obtained and the complete sets of of the Register yet remaining on hand—which latter no one will expect us to break for his accommodation.

One other remark and we have done. For the present, and for two months hence, until the said complete sets are fully ascertained and laid by, any gentleman desiring certain volumes to complete his own set, may have them, at the subscription price But after that time, no volumes will be sold separately, except such as there may happen to be an *extra* number of.

*Except those delivered in Baltimore—where subscribers will be waited upon.

Eastport Custom-house Bonds.

[Our readers will recollect that at the time of the capture of Eastport, (Moose Island) during the late war, certain bonds for duties due the United States to the amount of $50 or $60,000 fell into the hands of the British, through the treachery of one of those misguided Americans whose sympathies were all with the enemy. Payment of these bonds was attempted to be enforced by the captors through the court of vice-admiralty at Halifax. The following correspondence explains the very satisfactory close to which this part of the transaction has been brought. Besides the interest arising out of the facts here disclosed, which more immediately relates to the obligors, there is one of a more general and we might add of a more important nature While the steps which have been taken by our own government shows the care with which it watches over and protects the rights of its citizens, the result shows the fairness with which the British government seems at present disposed to conduct towards us. [*Eastern Argus.*

(COPY.) *Department of state, July* 15, 1817.

SIR—I have the honor to enclose the copy of a letter from lord Castlereagh to Mr. Adams, just received from the latter at this office, stating that orders had been given for suspending all further proceedings in the case of Mr. Baxter's appeal, and for relieving the other obligors with him from all possible operation of the decree of condemnation passed by the Vice-Admiralty court of Halifax, in relation to certain bonds seized at Moose Island during the late war.

It gives me great pleasure thus to make known to you for the information of the parties concerned, the satisfactory result of the steps which were taken by this department in consequence of your letter of the 17th of September 1815.

I have the honor to be, very respectfully, sir, your obedient servant,

RICHARD RUSH, *acting secretary.*

William P. Preble, esquire,
Attorney of the United States for
the District of Maine.

(COPY.)

The undersigned, his majesty's principal secretary of state for foreign affairs, has the honor to acquaint Mr. Adams, in reference to the note which the undersigned had the honor to receive from him on the 17th January last, respecting certain bonds seized during the late war at Moose Island, that orders have been given for the immediate suspension of all further proceedings against Mr. Baxter, as well as for relieving, as suggested by Mr. Adams in his note, the other obligors from any possible operation against them of the decree of condemnation passed by the Vice-Admiralty court of Halifax.

The undersigned regrets that such a delay has intervened between the receipt of Mr. Adams' note and the present reply, but has the honor to acquaint him that his majesty's advocate general was anxious to obtain all the information in his power respecting the transaction, and likewise to have a personal conference with the captors or their agent before he gave in his report of the merits of the case.

The undersigned avails himself of this opportunity to renew to Mr. Adams the assurance of his high consideration.

(Signed) CASTLEREAGH.

FOREIGN OFFICE, May 21, 1817.

President's Tour.

ANECDOTES AND SCRAPS—*and progress of his journey*

On the late visit of the PRESIDENT to the *Independence* 74, com. BAINBRIDGE, with that attention to the interests of those under his command which so strongly characterizes him, on presenting his officers, detained *acting* midshipman King, while he mentioned his escape alone in an open boat from Bermuda.—[For an account of which, see WEEKLY REGISTER, Vol. IV. page 385.]

The last *Boston Intelligencer* relates the following, in speaking of the president's tour:—

At Enfield, Vermont, he visited the "*Habitation of the Shaken community*" to use their own phraseology, or in more familiar language the Shaking Quakers. He was received with the simplicity that distinguishes that sect. The elder came forth from the principal house in the settlement and addressed the president, "I Joseph Goodrich welcome James Monroe to our habitation." The president examined the institution and their manufactures, was also welcomed by the women, and having remained about an hour, he retired very much pleased with his visit.

At Strafford, the president, at the invitation of col. Binney, examined the extensive manufactory of copperas owned by gentlemen in Boston, in whose behalf col. Binney had been delegated to make the invitation, and explain the extent and utility of the establishment. This was done to the entire satisfaction of the President, both by actual observation and in a written communication, setting forth the discovery of the mineral, the commencement and progress of the manufacture, and the happy results to the country, rendering it independent of Europe for an essential article of general use. The president was pleased to express his satisfaction on the developement of such an important natural resource of the nation.

The *Boston Centinel* observes—In the places at which the president, in his tour makes any stay, his first attention is given to objects of national defence; but his next is devoted to the various manufacturing establishments. On this subject we are assured, he has expressed not only his delight, but his surprise at their extent and improvement. He mentioned, we are told, at *Waltham*, that a few such establishments as he there saw would be sufficient to supply the United States with cotton fabrics.

We ought to add, that the superb apartments provided for the president's accommodation in the Exchange Coffee-House, were from our own warehouses. That the highly finished Piano-Forte which decorated the drawing room, was from the musical establishment in Milk-street; and that the entire *service of glass ware* used at the sumptuous dinner given on the day of the president's arrival here, was manufactured at the Boston glass-house. The attention of the president was arrested by the beauty and ponderosity of this ware; and on learning its origin, he expressed much gratification.

"Small things speak loud truths." We shall not omit to mention, that previous to the arrival of the president here, the people of the towns on the roads he was expected to pass, turned out and removed every impediment, so that not a pebble should obstruct a journey which all believed to be well-timed, and well intended, and which, while it increases the knowledge of the visitor will subserve the best interests of the visited.

The *Centinel* also says, "We deem the following anecdote worthy of record—In the widow of the late president Wheelock, the president found the fair *comforter* who dressed the wound which he received in the memorable battle of *Trenton* in 1777. As they had not before seen each other since that period, the emotions which the interview occasioned may be better conceived than described."

At *York*, Mr. Monroe was waited upon by the venerable judge Sewall, of the United States district court, now in his 82nd year, who delivered the address.

At *Biddeford* he was accompanied by a cavalcade through the village, towards *Saco*, where he passed under an arch over the bridge, amidst discharges of artillery, and the huzzas of the people—and received an address from the selectmen. He then proceeded to *Scarborough*, where an arch crossing the high way decorated with roses, bore the inscription "*united we stand.*" At *Woodstock* the bridge was ornamented with nineteen arches of evergreens and flowers, festooned with taste, and each bearing the name of a state; and on a twentieth were nineteen stars. He alighted from the carriage to pass under them. At *Portland* there was much parade and ceremony, as has already been mentioned. The *English* ships in the harbor were decorated with flags and in the evening with lamps. The illumination was very general and splendid. At Mr. Clap's party where he spent the evening, 300 persons were present. At judge Thatcher's, where he breakfasted, Dea. Samuel Chase, in the 93th year of his age, was introduced to him. He addressed the president with the simplicity of a christian and affection of a father. It was an interesting scene—The president

feelings were evidently touched, especially when the good old man rose, and with all the dignity of an ancient patriarch pronounced his parting blessing.

At *Dover N. H.* he was addressed on behalf of the people, and spent the evening at the seat of *William Hale*, esq. At *Concord* he was handsomely received by the selectmen and a committee of the citizens, with a display of troops, discharges of artillery, &c. After refreshments, the address was presented to him on a stage erected for the purpose, amidst the acclamations of the people. At dinner, he gave for his toast—"the town of Concord—may its inhabitants continue to flourish and prosper." He was very generally visited—judge Walker, 80 years old, paid his respects to him. He took an excursion on board a pleasure boat, decorated, &c. for the occasion, and called the *President*, owned by J. Langdon Sullivan, esq. on the Merrimack, and examined the locks and passed through them, &c. He returned by land, and spent the evening at col. Kent's—attended divine service the next day (Sunday the 20th of July) and left the place the following morning, greeted with music and the huzzas of the populace.

PORTLAND ADDRESS.

May it please the president of the United States.

The committee of arrangements wait on you, sir, in behalf of the citizens of Portland, on your arrival in this town, to tender you the homage due to the chief magistrate of a free republic.

A visit, for the first time, to this place, of a personage of such high distinction, who has so recently been elected, under such favorable auspices, to wield the destinies of a great people, will be expected to excite no ordinary sensation. We see in your elevation to the chief magistracy, a fellow-citizen of great experience in the policy of nations, and one whose life has been spent in the service of his native country. We have ever been among those who have deemed experience to be the only correct source of political wisdom, and have never ceased to place a higher value upon its precepts, than upon the theories of imagination.

Your tour through the union evinces how highly you appreciate the knowledge, derived from your own observation, above the uncertain intelligence, collected from other sources. And the early period of your presidential term, at which this tour is commenced, augurs auspiciously to the great interest of our common country. May all your efforts to promote the honor and advance the prosperity of the nation, be duly appreciated by an enlightened and grateful people.

Here, sir, you behold a town once a victim to the war of that revolution, in which you commenced your patriotic career. What you now see is but the Phenix from its ashes, reanimated and invigorated by the vivifying influence of the federal constitution. To the fostering care of the general government, to its protection and encouragement of commercial interests, we are indebted for the prosperity we have enjoyed, and on its future protection and encouragement must we rely, for the accomplishment of our best hopes.

Permit us, sir, to bid you welcome; to present you with the respectful salutations of our fellow citizens. May your visit, here, afford you some portion of that satisfaction is imparts to others. And be assured that in all your exertions to promote the public welfare, you will be aided and supported by the patriotism of this section of the union.

Under your administration, may our civil, religious, and literary institutions be protected and encouraged; commerce, agriculture and manufactures fostered and promoted, and that freedom and independance which, in the field, you labored to achieve, defended and preserved.

That your hands may be strengthened, and your heart encouraged, in the discharge of the high duties of your office, we would commend you to the favor of that Being who is the fountain of all power and wisdom, with our ardent aspirations to Him that your life may be long and happy; that the union of these states, our republicau form of government, and the prosperity of our beloved country, may be perpetual.

In behalf of the committee of arrangements.
ISAAC ADAMS, *Chairman.*

The answer of the president was full and affectionate. He repeated the leading objects of his tour, among which was an examination into the state of commerce;—That in pursuing these objects he had every where met the most respectful attentions, and friendly reception; and particularly so in Portland. He spoke of the great importance of commerce, as it respected the country at large, and this section of the union in particular, and that to encourage it, with other institutions, and to preserve and maintain the union, independence, freedom and prosperity of the nation, would be his constant endeavors.

ADDRESS OF THE CLERGY.

To the president of the United States.

Sir—The ministers of the Lord Jesus Christ of different denominations, in Portland and vicinity, amid the congratulations of their fellow-citizens, would now, in a body, tender their respectful and christian salutations: Opening to you their bosoms, revered sir, and imploring on you the divine presence, guidance and support, as the father of a great and happy people: That you may have, in continuance, a prosperous journey, by the will of God, through the northern and western parts of these United States, a safe return to the capital, and to the bosom of your family: That the morning of your presidency, being a morning without clouds, which has thrown such a lustre upon our public affairs, and occasioned such surprising harmony in the public feelings, may indeed be as the shining light, which shineth more and more unto the perfect day.

And when, sir, your hands are heavy under the weight of a nation's cares, be assured the intercession of our closets, and of our altars, (animated by the grateful remembrance of your presence amongst us) shall be always going up to the mercy-seat in your behalf: That through your instrumentality the beauty of the Lord our God may be upon us, and his glory appear to our children. And having served your generation according to the will of God, in a good old age, and full of days, and of honors, may you be gathered unto the illustrious fathers, who rest from their public labors, and enter with them into heavenly glory.

The president's reply, as near as can be recollected.

Gentlemen—Among the numerous tokens of respect, which has been shown me by my fellow-citizens, during my present tour, undertaken to advance the public interest, I have received none more grateful than the one I now receive from you, the ministers of our Lord and Saviour. Be assured that the kind sentiments of your affectionate address, especially those which regard my person, are warmly reciprocated.

A proper reverence for our Maker, and indeed religion in general, leaving all men, however, free to act agreeable to the dictates of their own consciences, will ever meet my approbation and support.

I am sensible, gentlemen, that I cannot do justice to your address, in this summary reply, I must therefore conclude by repeating to you the assurance of my great satisfaction in receiving this testimony of your regard, and by requesting you to accept my thanks for your respectful and christian salutation.

Addresses were also delivered to him while at Portland, by deputies from the towns of Bath, Wiscassett, Brunswick and Topsham, inviting him to continue his tour further eastward, to which he made the following reply:

FELLOW-CITIZENS—I beg you to be assured, that it would afford me great and sincere pleasure, to proceed to the towns which you represent, and even to *Castine*, if imperious circumstances did not prevent it. I undertook this tour, to acquire information, by personal inspection, of our principal harbors, of the entrances into them, of the state of the public works, and of the points at which it might be proper to erect others, and it was my object to embrace in it the Atlantic coast, to the extent mentioned, and the inland frontier, as far as Detroit. I now find, notwithstanding the exertions which I have made, that if I proceed further to the eastward, I shall be compelled to abandon all the western part of my contemplated tour, or be thrown on the lakes at an unfavorable season; and shall likewise be detained from the seat of government, longer than a due regard, for other important national interests, will permit. I regret, therefore, to be compelled by these considerations, to terminate my tour, eastward, here; considerations, which will, I doubt not, have their due weight, with you, and my other fellow-citizens of the district of Maine.

I am happy to meet here deputies, from so many of the towns, to the eastward, because, from you, I shall receive much information, touching your local interests, which will be useful. I shall pay to it, the utmost attention in my power.

I am aware, that the prosperity of the towns in this district, and I may extend the remark to the United States, depends on the prosperous state of their commerce. Nothing is more just, than that our trade with foreign powers, should be placed, in every branch, on a footing of reciprocal and equal advantage.—It gives me pleasure to state, that this important interest, has already received the consideration of the national councils, and that I have no doubt, it will continue to be duly attended to until it is placed on a just, and satisfactory footing.

On all the great concerns, of this highly favored and happy nation, there is but one common interest. We are all equally interested in preserving our present republican government and institutions, in their utmost purity; we are all equally interested, in adopting suitable measures of defence, land, and naval; and in the proper protection and encouragement of our commerce; and it is highly gratifying to me, to witness, in the whole extent of my tour, that great harmony of opinion prevails, on all these important points.

JAMES MONROE.

MAINE ADDRESS.

To the president of the United States.

SIR—As citizens of Maine we take the liberty to meet the chief magistrate of the nation, on his entering our district, and to pay him our respects—It being the first time a president of the United States has visited this section of the country, it is a source of peculiar satisfaction to meet and greet one whose private virtue and public administrations have been so much and so justly admired by the people of Maine.

Permit us, sir, for ourselves and our friends, to congratulate you on your election as president; to bid you a cordial welcome to this part of the union; to tender you our services to alleviate the fatigues of your journey, and our wishes and exertions that all your labors for the people may be received with gratitude and crowned with success.—Through the wisdom of yourself and your co-patriots, the patriotism of the people and the favor of Heaven, you have the singular felicity to receive the voluntary homage of the nation, and to witness its peace, prosperity, freedom and happiness.

This journey, like the journey of your *life*, is commenced and pursued for the *public good*.

Like *that*, its fatigues have been endured with patience, its obstacles overcome with perseverance, its storms encountered with firmness, and its refreshing sunshines relished with equanimity and gratitude—In each, as you have advanced, you have acquired additional honor, reverence and love. In your future progress in *both* may your health be preserved, your country's prosperity and glory secured and the affections, confidence and union of the people, increased and confirmed.

And when these respective journies shall be ended and you return *home*, may you at the close of the *one* be received in health and happiness to the embraces of an affectionate family, and of the *other* to the favor and fruition of Him, who will never fail to reward the great and the good.

John Holmes,
A. K. Parris,
W. P. Preble,
Jeremiah Bradbury,
T. G. Thornton,
Alexander Rice,
Woodbury Storer,
Isaac Ilsley,
Josiah W. Seaver,
William Burley,
Benjamin Greene.

The president made an extemporaneous reply, and expressed "the high gratification" he felt "in being thus met and received by gentlemen, for whose private virtues and public character he entertained so much respect."

CONCORD ADDRESS.

To the President of the United States.

SIR—Permit us, as the organ of the citizens of Concord, to express the high satisfaction we feel in beholding the president of the United States in our village, and in having an opportunity to present you our most respectful acknowledgements for this distinguished honor.

All hearts, sir, bid you welcome—We deem it a peculiarly happy circumstance, that in discharging the important duty of examining the works of defence on our exterior lines, you witness universal eagerness and cordiality in the salutations you receive in every place you visit. Upon this auspicious occasion party feelings are buried, and buried we would hope forever. A new era we trust is commencing. The leading measures of the general government accord remarkably with the views and principles of all parties; and your private as well as public character furnish us a pledge, that you

will endeavor to make your administration a blessing to our country. And we pray God to grant you success, and have you under his holy keeping.

Accept, sir, our best wishes that your present tour may be eminently useful to the nation, both in affording them security against their enemies and union amongst themselves.

THOMAS W. THOMPSON.

July 18, 1817. *for the committee.*

To this address the president made an extemporaneous reply of some length.

GOVERNOR PLUMER'S LETTER TO THE PRESIDENT.

New-Hampshire, executive department,
EPPING, JULY, 18, 1817.

DEAR SIR—It is to me a subject of much regret, that in your tour through New-Hampshire, I have been unable to pay you that respectful attention, and those personal civilities, which I consider due both to your private character, and official station. You were verbally informed, while at Portsmouth, of my severe indisposition; and I am now obliged to add, that I am still confined to my chamber and bed by an attack of the typhus fever, which has not yet, I fear, reached its crisis. This unfortunate event has deprived me of the satisfaction of a personal interview with you; and prevented me from receiving a visit at this place, with which I had flattered myself you would have honored me.

A military escort having been called out by the governors of some of the states, to accompany you through those parts of the country, I was desirous that the same tribute of respect should be paid you on your passage through New-Hampshire. The power to call out such an escort seemed at first view incident to the nature of my office as commander in chief of the militia; yet so accurately is this command defined, and so cautiously restricted, by the prudence, or the jealousy, of our state constitution, that I have authority at no time to order out the militia, except for certain known objects particularly designated in the constitution and by the laws enacted under it. I have though proper to make this statement, both in justice to myself, and to the state over which I preside—a state which yields to none in the union, either in attachment to the general government, or in respect to the distinguished individual, who, with its full consent and approbation has been raised to the first office in the gift of the nation.

This letter will be delivered to you by the secretary of state. Had my health permitted, I should have taken great pleasure in waiting upon you in person during the time you remained in this state, and in suggesting some objects of inquiry, which might perhaps have merited your attention in this part of our common country. But in my present condition I can only add my sincere congratulations, and my best wishes for the success of your administration, which has commenced under circumstances peculiarly favorable to yourself and to our beloved country.

I have the honor to be with the highest personal respect and esteem,

Dear sir, your most obedient, humble servant,

WILLIAM PLUMER.

JAMES MONROE, *President of the United States, now at Concord, N. H.*

☞The president, having visited several places in Vermont, embarked on board one of the steam boats on lake Champlain, and examined its posts and memorable places—visited Plattsburgh, reached Ogdensburg on the 29th of July, and was expected at Sackett's Harbor on the 1st August.—He had been joined by maj. gen. Brown.

Foreign Articles.

ENGLAND, &c.

Waston, sen. Preston, Thistlewood and Hooper, were arraigned for high treason, at the court of King's Bench, on the 9th of June. The trials appear to have much excited the public attention. Subscriptions, by a placard publicly posted up, were requested and readily obtained to repay the expense of the defence. Great pomp and ceremony has been observed on the occasion.

"The captain of the yeoman, or *gentlemen jailors*, and the lieutenant of the tower," says a London paper, were placed by the side of Watson at the bar.

Being arraigned, the attorney-general moved, that the prisoners, as they insisted on the right of challenging jurors, should be tried separately; to which lord Ellenborough assented.

The indictment consists of four counts and a great many specifications:

1. For compassing and imagining to put the king to death.

2. For compassing and imagining to depose the king.

3. For levying war against the king, on the 2d. Dec. 1816, at the parish of St. James, Clerkenwell, &c.

4. For conspiring to levy war against the king, in order to compel him to change his measures.

It will be recollected that a British sloop of war, called the *Tay*, laden with 800,000 dollars, was lost on the coast of Mexico, some time ago. The vessel was surrendered to the Spaniards as a prize, and the officers gave up themselves, and their crew as *prisoners of war*. A court martial, investigating the subject, has justified the officers in their conduct, deciding that the only way they had to prevent the flag from being *insulted was to strike it*, &c. on account of the treacherous and outrageous conduct of the Spaniards. The subject was before parliament, & Castlereagh stated that the proper remonstrances had been made to the Spanish government in respect to it.

We have long accounts of the riots of the people of Ireland, for want of bread, of the attacks upon places where flour, &c. was deposited, and the defence by the military, and the like. In some of these affrays certain persons were killed. The saying that "*hunger will break through stone walls*," has been literally fulfilled, in several cases. Many have been arrested to answer their *crimes*.

A motion was made in the house of commons on the 10th of June for a list of the number of persons and their names, ages and places of confinement, under the suspension of the habeas corpus act, and lost—the vote stood 104 to 53—majority for ministers 51.

A proposition to prohibit the export of corn to *France*, had been before parliament. Lord Castlereagh opposed it, considering it unnecessary, as the difficulties of that country were nearly over—the rye harvest being about to commence.

In Nottinghamshire the riots have been pretty formidable—the people cried out for a "*revolution*." But the military checked them and apprehended 30 miserable wretches. Part of Yorkshire, Leicestershire, Derbyshire and Cheshire are exceedingly agitated by mobs. The lords lieutenants have been ordered instantly to repair to them. Many are arrested.

HOUSE OF LORDS.—June 12.

Report of the committee of secrecy—Further suspension of the habeas corpus.

The earl of Harrowby presented a report from the committee of secrecy, which was read by the reading clerk at the table.

The report began by stating, that the committee had taken into their serious consideration the paper referred to in the prince regent's message, and they feel it their duty to state, that it appeared from the evidence before them, that the practices, meetings and combinations, alluded to in their former report, still continued in various parts of the country, having for its object the overthrow of the constitution and government, and the destruction of the established system of order and tranquility. The evidence upon which they founded their opinion, was in part derived from persons implicated in these transactions, and from individuals who had participated in them, with the view of making communications on the subject to the magistrates or to the secretary of state. With respect to these latter persons, the committee thought it right to state in some instances they had urged on other individuals to acts of violence, instead of merely watching what they did—Making, however, every allowance for the exaggerations which had thus arisen, the committee had evidence before them of the accuracy of which there was no doubt, that the disaffection to a considerable extent prevailed in the manufacturing districts in the northern parts of the kingdom. It was undoubtedly true, that in some of these districts there existed considerable distress—but it was equally true that the distress which actually existed was used as an instrument in the hands of the designing, rather than operating as a cause of the disaffection, it being the fact, that in many districts where equal, if not greater distress existed, the people evinced the greatest loyalty, patience and resignation.

The committee had found that since the last report the practices at Manchester had been continued, and that a meeting was summoned to be held there on the 3d day of March, which was numerously attended, and at which the most inflammatory language was used. It was proposed and agreed to at this meeting, to hold another meeting on the 10th of March, and it was recommended that 10 out of every 20 assembled on the latter day, should be in readiness to proceed to London, for the pretended purpose of presenting a petition to the prince regent, with which view they were to provide themselves with blankets, shoes, &c. The meeting was held, and attended by from 10 to 12,000 persons, notwithstanding some of the ring leaders had been previously arrested, and the project of proceeding to London was attempted to be carried into effect; but the deluded individuals were stopped through the activity of the magistrates at different short distances, and compelled to retrace their steps. It appeared it was held out to them that they would be joined on their road by large bodies from different towns, so that by the time they advanced towards London, they would be 100,000 strong. The grossest delusions were in fact held out to the persons assembled upon the occasion, nor could the project itself be considered in any other light than as directed against the public tranquility, which must necessarily have been considerably endangered by the attempt of a considerably body of men to advance in the manner proposed to London.

After this period, it appeared that the additional power entrusted to the government had some effect, and that numerous meetings were not attempted to be held, but secret meetings were attempted in remote places; and though some societies were broken up, and some public houses would not receive them, they contrived to assemble in other houses in a lonely situation. At some of these meetings the most undisguised language was used; it was no longer Parliamentary Reform that was held up as a pretext, but Revolution was openly advocated; the individuals attempted to be influenced were called upon to provide arms (though the committee had been unable to trace any arrangement made for the actual procuring of arms,) and it was even held out, that persons in office, and others obnoxious to them, ought to be got rid of. A general rising was contemplated in April, but from some circumstances it was put off till June. In the mean time, numerous meetings in consequence of the additional power placed in the hands of government not being deemed advisable, a system of delegation was established, and persons calling themselves delegates assembled at different places. It was held out, that it would not be advisable to commit much to writing, and that the names of the leaders should be as much as possible concealed. These persons calling themselves delegates, repeatedly assembled and kept up an extensive correspondence. An assembly of these delegates was held at a town in Yorkshire, early in May, at which it was determined that a general rising should take place on the 10th of June. Nottingham was to be the head quarters of the insurgents. They were to obtain arms by plundering the barracks and other depots, and to march in a large body to London. It appeared that the conspirators had even gone the length of contemplating the destruction of Manchester, for the purpose of adding to the discontent, by throwing a great number of persons out of employ. The signal was to be given by a rocket being fired; upon which the manufactories and other buildings were to be destroyed. The project was frustrated by the activity of the magistrates; and it appeared that the project of the general rising had been frustrated; but there were some districts in which the parties had determined on rising, notwithstanding the determination of this meeting of delegates; and the evidence before the committee upon this subject had been corroborated by the information received within these few days, of bodies of men being in arms within the district to which the practices alluded to were chiefly confined.

The committee, in taking this view of certain parts of the country, which were unfortunately too well supported by the evidence and documents before them, felt it their duty to state, that in other quarters there was a general feeling of loyalty and attachment to the government; and that, even in the disturbed districts, the greater part of the people were loyally attached to the government. The magistrates had displayed the greatest activity in frustrating the projects of the disaffected, and they were powerfully aided by the loyal part of the population. The magistrates, however, were of opinion, that the most effectual means of putting down the disaffected, and frustrating their projects, had arisen out of the additional powers placed in the hands of government; and the committee were of opinion, upon the whole view of the case, that in order to frustrate effectually the projects of the disaffected, it was absolutely necessary to continue the additional powers vested in the hands of government, the ordinary laws being insufficient for that purpose.

The earl of Harrowby moved that the report do lie on the table, and be printed, which was ordered.

The earl of Liverpool gave notice, that if the printed copies of the report were read to-morrow, which he expected, it was the intention of a noble friend of his (Lord Sidmouth) to bring in a bill, for continuing the act for enabling the government to detain in custody persons on suspicion of treason (Habeas Corpus Suspension.) In case the bill was presented to-morrow, it was intended to move the second reading to-morrow.

Lord Castlereagh in a debate in the house of commons, May 9, stated that in the *"political arrangement,"* as he called the system of robbery and spoliation at Vienna, *"the question of religion was wholly abandoned."* He declared to the house, *"that not one word was uttered about it."*

FRANCE.

A woman, dressed in black and holding a white crucifix, has been taken up at Paris and committed to the care of the prefect of the police, for marching through the streets "to confirm the revelations of the archangel Raphael, concerning the reformation of religion in France,"and crying out—*"Repent! repent!—woe to Paris—woe to France!"*

AFRICA.

Mr. *Shaler*, our consul general, is on a tour of duty through the Barbary consulates.

The grand seignor has paid many high compliments to the dey of Algiers, for the firmness and energy he displayed in the late attacks of the "infidels"—among other things, he has presented him with a captain's dress, which is considered as the greatest mark of honor. He has also given him a frigate and a ship of 400 tons, laden with munitions of war. There were great rejoicings at Algiers in consequence of these events. The dey's fleet now consists of 1 frigate, 2 sloops of war, 3 18-gun brigs, 1 18-gun schooner, and one sloop of war on the stocks, &c.

BRAZIL.

We have intelligence from Brazil to the 17th of June. Though Pernambuco is in the hands of the royalists, and Martins and some other chiefs have been taken and shot, it seems that a patriot army was probably in force in the interior, and may serve as a rallying point for the disaffected, with whom Brazil abounds. A general insurrection appears to have been intended, which prematurely broke out at Pernambuco, and in consequence many arrests are making in all parts. These ideas are strengthened by the fact that the royal forces at Pernambuco have been greatly augmented since the submission of the place. Several vessels have been sent into *Bahia* for a violation of blockade.

There were 71 state prisoners at Bahia; most of whom, it was supposed, would be put to death.

FLORIDA.

A New York paper says that M'Gregor has issued a quantity of scrip, made payable by the delivery of lands in Florida to the holders at the rate of 50 cents per acre, if he should come into possession of it, or to be paid in cash with interest; on which he is said to have raised upwards of 200,000 dollars.

Mr. *Hubbard*, sheriff of the city and county of New York, we learn by the papers of that place, having most honorably adjusted the affairs of his office, resigned the same, and left the city in a vessel that he himself had fitted out, to join M'Gregor.

Accounts from Amelia island to the 20th ult. inform us that McGregor then remained there organizing and augmenting his forces, and in settling the executive and judicial departments of his conquest. He is said to have conducted himself with great mildness and propriety, and his great object seems at present to be to secure the possession of the island as a rendezvous for the many vessels sailing under the patriot flag. The following is another of his proclamations:

Gregor MacGregor, general of brigade of the armies of the united provinces of New Granada and Venezuela, and general and chief of the army destined against the Floridas, duly commissioned by the supreme governments of Mexico and South America, &c. &c.

Inhabitants of the north and western districts of East Florida!

The evacuation of Fort San Nicholas by the Spanish forces on the fourth of this month, has placed the adjacent territory under the control and protection of the independent government. I lose no time in assuring you of the enjoyment of your civil liberty, the preservation of your rights, and the protection of your property. I would extend to all those peaceful citizens living in or adjoining the waters of the St. Mary's and St. John's rivers, and the islands and country intervening, all the advantages to be derived from the third and fourth articles of the capitulation of the 29th June, on the surrender of this place—a full protection of their lives and property.

Let not a fear of rapine and spoil drive into opposition or disturb the well disposed inhabitants of Florida. Other and more glorious motives impel those who fight in the cause of liberty. Continue to evince your friendly disposition by remaining quietly at your homes, in the exercise of your domestic employments, and such conduct will insure its rewards—Join not the ranks of our enemies, nor aid them against us, or you will be met in the spirit of hostility, and your persons and property must share their fate. Rely on the assurances of candor and truth—do not compel us to oppose as foes, whom we would embrace at brothers.

Head-quarters, Fernandina, July 12, 1817, 7 and 1.

GREGOR MACGREGOR.

CHRONICLE.

Two ladies, during divine service, were killed, by lightning, in the Presbyterian meeting house, in Lexington Ky. on Sunday the 20th ult.

Military. A company of U. S. troops, under Capt. Paine, is to be stationed at Point Petre, near St. Mary's.

Naval. Col. Wharton of the marines, has been arrested in consequence of late charges exhibited against him by Major Henderson. His trial was to take place at Washington, on the 1st August. Capt. Stewart, of the navy, is president.

The U. S. ship Alert, Capt. Kennedy, has arrived at Norfolk from the Mediterranean with despatches, &c. she brings no news of importance, the officers and crews of the squadron were generally in good health. Capt. *W. Stewart*, late commander of the Alert, and Lieutenants *G. W. Spooner* and *Dudley*, have paid the debt of nature.

The U. S. brig Saranac, Captain Elton, having been repaired, proceeded yesterday afternoon, (says a New-York paper of the 31st inst.) to the usual anchorage off the Battery, where the U. S. sloop of war Ontario, Captain Biddle, also lies, ready for sea, waiting for orders.

Mississippi. The convention has met for the purpose of erecting this territory into a state, by virtue of the act of congress. David Holmes, esq. governor of the territory, is president of the convention---The act of congress was accepted, 36 to 11, and a committee was appointed to draft a constitution.

National Question.

CAN CONGRESS CONSTITUTIONALLY INVEST ANY OF THE PUBLIC FUNCTIONARIES OF A STATE WITH POWER TO DECLARE, TO EXPOUND, OR TO EXECUTE LAWS FOR AND IN THE NAME OF THE UNITED STATES?*

This question, which sprang from the 33d section of the act of congress of the 24th Sept. 1789; from limited views and respectful doubts, has risen to solemn decisions, and excited so much attention as to be likely to agitate congress, and to attract the notice and warm the feelings of the people. It would scarcely afford a sufficiency of interest to awaken the attention, or bear up the mind through the tedious, and apparently rugged paths of constitutional and municipal law, merely to ascertain, whether the petty and inferior judicial officers of a state might be called on to lend their aid, and be used for the humble purposes of preparatory, incipient, or ancilliary justice, were it not that it involves this great question, in which it will be at once perceived, some of the most valuable principles of our constitution are embraced—which principles, to be understood as they ought, require to be traced to their several sources, laid down with accuracy, and exhibited in the fairest and strongest lights:

Whether a court, or a justice of the peace of a state can be called on, and used to expound and enforce the criminal law of the general government, has been a question often agitated and much discussed in congress, in the courts of justice, and before the people, but never finally put to rest. In congress, apparently from motives of expediency, a decision seems to have been waved; in the federal courts principles have been laid down, and opinions incidentally expressed which would exclude congress from such a power; and in some of the courts of Virginia, Ohio and Maryland, solemn adjudications have been given against the right; while in some of those of Pennsylvania and South-Carolina contrary determinations have been had. The nature and the importance of the case of Almeida, connected as he was with the cause of freedom in Spanish America, which, in all its forms is so interesting to the people of the United States, brought this great question again before a court of justice, after it had apparently slumbered in forgetfulness for some years, and presented it in a more regulated and enlarged form; shewed it in some new lights, and gave it a currency it had never before obtained.

This, like most political questions of any magnitude, seems already to have aroused and enlisted the interests, the fears and the passions of the contending parties; who, instead of undertaking a patient examination, or severe scrutiny into the nature, meaning and objects of our constitution, or of borrowing light from past example and experience, suffer their minds to be filled with apprehensions and prejudices, and their attention to be directed, with rude clamor, exclusively to the consequences of excluding congress from the exercise of such a right, as imaginary as they are intended to be alarming. It is asserted, that "without the aid of the ministerial officers of the states, to have the laws of the United States effectually executed against a few offenders, (probably not one hundred in a year in all the states) it would be necessary to appoint and scatter over their vast territory many thousands of justices of the peace, coroners, constables, &c." —that the introduction of a patronage so vast and voracious would devour, at a meal, all the useful influence and valuable checks and balances of the states; that to wink at contradictions, to pass by confusion, and to endeavor to pacify the most provoking collisions by inculcating confidence, sweet and humble confidence, is "good law and better policy"; or, with the most alluring and courtly accents, it is denied "that jealousy is inculcated by a true understanding of the constitutions of the states —that it is necessary to the preservation of state rights; or that it can conduce to national happiness, or national greatness; that it may make us busy about some little factious privileges which are in no danger—but that a regulated liberty, under the protection of stable institutions, will be best and longest secured to us, by regarding the government of the union in a spirit full of confidence—in a temper devoid of jealousy."

Entirely to calm the feelings, remove the prejudices, and direct the enquiries of every one into the proper channel is not to be expected. But, I flatter myself, that I may be enabled to contribute something towards a dispassionate and correct exposition of our constitution in this respect. And, however tedious, ungrateful and barren, portions of the ground over which we shall travel, and which we shall find it necessary to explore, may be in appearance, yet it will be seen and recollected that they are connected with, and parts of the land of freedom And whoever would wish to form a correct estimate of our admirable constitution, of its strength, durability and beauty, must not confine himself to a general view; but must enter and examine each apartment, notice the materials, closely inspect the manner in which they are cemented, and then contemplate the whole grand edifice together.

I shall, therefore, find it necessary to enquire, what is meant by judicial power? because the question itself first arose from that source—and, as it has been contended, that "the judicial power of the United States," spoken of by the constitution, has something in it peculiar to itself, it will be proper to see whether those peculiarities really exist, and what they are. As in the exposition of the constitution it will be necessary to lay down a standard of interpretation, and to ascertain whence it may be derived, it will be useful to turn aside, for a moment, to bestow a few reflections on the question, whether the common law of England is in force in the United States as such? or whether they can be said to have a common law, and what is its nature? And, since there is a difference of opinion as to what is the true nature of judicial power, it will be well to enquire, whether there are not similar restrictions, with regard to legislative and executive, or ministerial power, to those which render it incompatible with the constitution to transfer any of the judicial power of the union to the officers of the states?—And, by way of fortifying the principles so established, I shall gather together some of the past examples and experience, with the opinions of a few eminent men upon the subject, so as to satisfy every impartial person how much less dangerous it is to resist the little additional influence of a few inferior judicial officers, than to avert, or overcome those rancorous collisions, and the paralyzing effects which always do and will inevitably arise, from a reliance on requisitions, and from a dependency on state officers, as agents, to execute the laws of the

*Before the reader proceeds with this investigation it will be best, or indeed necessary, that he should turn back to pages 114, 231 and 264 of this volume, and read, with attention, the opinions of Judges Bland and Hanson, in Almeida's case, and also that of Judge Cheves, in Rhodes' case.

nation—and, finally, to shew, that unless the judiciary of the union is completely organized, it is impossible the constitution can operate as it was intended, move in its proper sphere, or according to its true principles.

As to the first enquiry, *What is meant by judicial power?*

It will be necessary to trace, with the most minute and perspicuous accuracy, the nature of judicial power in various directions, as well when exercised by the lowest as by the highest officer of the government; for, neither name of office nor forms of evidence, nor degree of crime or criminality, nor value have any thing to do with the abstract nature and character of judicial power. It is deemed best, in the first place, to ascertain what is the idea uniformly and universally annexed to such power by the common law; not that a doubt is entertained, that the idea of judicial power, according to any other code, will be found essentially different from that of the common law; but, as the language of that code is more familiar to us than any other, and abounds more in intelligible examples, the idea of this power can be more fully and distinctly illustrated and explained by it than by any other.

The capacity, authority, or discretion to determine on any matter, which is in some form or way the subject of litigation and controversy, is judicial power; and he who exercises such authority, performs a judicial act. But it would be taking the definition too large to say, that every act, where the judgment is at all exercised, is a judicial act; for a judicial act is supposed to be done *pendente lite* of some sort or other—3. *Burr*, 1262. Although all judgments are said to be those of the law, and that the magistrate can render none other than those which the law will allow, yet the idea of a degree of discretion, and of a right to exercise the judgment to some extent, is always annexed to judicial power; for although the judgment does not depend upon the arbitrary caprice of the judge, but on the settled and invariable principles of law, yet what that judgment shall be is the result of deliberation and study—and, therefore, the judicial discretion extends only to the application of the rules of law to the facts and circumstances of each case—3. *Black. Com.* 395. To declare what shall be the rule is a legislative act; but to apply the rule to the case is a judicial act. And this power of applying the rules of law to cases presented for determination carries with it other incidental powers—as the right to judge of the competency, pertinency, and credibility of evidence; and also the right to call for testimony in the best and most authentic form; to issue summons for witnesses, &c. But, in all criminal prosecutions, and in most civil cases, this power of deciding is divided between the judge and the jury; the one determines the competency and pertinency, and the other the credibility of evidence; yet in both, by the jury, who, in criminal cases, may decide on law and fact, no less than the judge, who is, most generally, confined to the mere law, the determination is a judicial act in all its character, features, and consequences. This capacity to exercise the judgment for the purpose of removing doubts and deciding on matters which are affirmed on the one part and denied, or presumed to be denied, on the other, is always accompanied with a personal confidence and trust; therefore, no judicial power, however small, can be, in whole or part, transferred, assigned over, or delegated, by the officer who has been clothed with it to another.—*Cald.* 31—6. *Mod.* 87. Another of the consequences flowing from the incommunicable nature of judicial power is, that it cannot be exercised in the name of the principal, by deputy, in any case whatsoever.—*Jacob. L. D verb. deputy.* And, as this power cannot be exercised by any other than the individual to whom it is granted, so neither can it be exerted upon any other subjects than those to which it is extended; or within any other territorial limits than those prescribed in the grant of such power—3. *Bac. Abr.* 798. All acts of judgment required of two or more persons must be done together; because they should counsel with each other—2. *T. R.* 38, 389—8. *T. R.* 454—8. *East* 327. And as the *revising* authority of the supreme judicial power relates altogether to judicial acts, the superior court will not, in any case, remove the proceedings of an officer, before it for that purpose, when the officer does not proceed judicially; but is entrusted with a discretionary power in matters of revenue, compensation for services, pensions, and the like.—*Cald.* 309—*Sayer* 6—2. *Dall.* 410, *note.*

These principles may be regarded as the tests by which it may be at once ascertained, whether an act be truly judicial or otherwise; but, by contrasting them with those relative to ministerial power, we shall thereby obtain a more perfect idea of both.

Where an officer is invested with discretionary power, which does not enable him in any way to determine a controverted matter; as where a man acts as an attorney or agent, or as a collector of the revenue merely, his official acts are ministerial and not judicial. In all cases relative to the administration of justice, where the manner and form of acting is prescribed, or the officer acts in obedience to a court or judge, his act is ministerial—as the clerk of a court, or a sheriff, or a constable, &c. in executing process. In some cases a mere ministerial power may be assigned over, transferred or delegated, by the officer holding it, to another. Almost all ministerial acts may be performed by deputy in the name of the principal. Some ministerial acts may be performed beyond the territorial limits assigned to the officer invested with such power—*Cro. Car.* 213. As there is no discretionary authority to determine any controversy, in any form whatever, annexed to a mere ministerial power, it is, therefore, a general rule that the officer, who is invested with such power only, cannot administer an oath; because to do so is a judicial act—11. *State Trials*, 317. Where an officer, the general character of whose office and official duties are judicial, is directed to do a certain act, according to a certain prescribed form, by which he is deprived of all manner of discretion to act in any other way than the manner laid down, the performance of such act is ministerial and not judicial. So, where the manner in which an officer should act is fully prescribed by law, and he has no judicial power, he may be *specifically* commanded by mandamus or otherwise to do the act so prescribed—4. *Bac. Abr. tit. mandamus*, [D.]

Some few examples and cases will place these general rules and principles in a very strong and clear point of view.

The appointing of over-seers of the poor of a parish, by the justices of the peace, according to the provisions of the statute, 43. *Eliz.* c. 2, is held to be a judicial act; because, they should confer together for the purpose of a communication on the subject matter on which they are to determine; and an appeal lies from their judgment—3. *T. R.* 38—2. *East* 244. So the assenting to the indenture of a parish apprentice by justices, according to the same statute, is held to be a judicial act—3. *T. R.* 380—

3. *T. R.* 454. So the making orders concerning the poors' rates, by the over-seers of the poor, are held to be judicial acts—*Cald.* 30—6. *Mod.* 87—but the mere allowance of the rates, by two justices of the peace, *in the form prescribed by the statute*, is held to be a ministerial act—1. *Stra.* 393. So the examination of a mother, and an order of filiation, in a case of bastardy, is held to be a judicial act—6 *Mod* 180—2. *Bla.* 1017. The authority given by the statute of 1. *Jac.* 1, c. 15, to the commissioners of bankrupts to issue their warrant, under certain circumstances, to arrest and bring a witness before them, is held to be a judicial power; because they ought to hold counsel together, and the order for such warrant must be the act of their joint judgment—3. *East* 319 Likewise, the authority given to justices of the peace to hear and determine on an application for the benefit of an insolvent act, is held to be a judicial power—2 *Show.* 74. And, also, the authority given by the statute of 6 *Geo* 1, c. 21, to receive an information and make a determination upon a seizure, under the revenue law, is held to be a judicial power; and, therefore, the superior court would not direct in what specific way such determination should be made, but merely that it *should* be made—1, *Stra.* 530.

But, on the other hand, in the registering and recording of a meeting-house, under the statute called the toleration act, the court of quarter sessions acts ministerially and not judicially; because, when the specific forms prescribed by the statute are completed, the court has no discretion left—1 *Bla.* 606. So an order of the county court, concerning a compensation to be allowed to an attorney for services rendered, was held not to be a judicial proceeding, there being, as it would seem, no lis pendens—*Cald.* 309. The judicial power of a justice of the peace is circumscribed to the county wherein he is appointed a justice; therefore, he cannot issue his warrant to apprehend a felon in any other county than that within which he is a justice; because the issuing of such a warrant is a judicial act; but he may take the examination of an offender, or of the witnesses against him, in any other county as well as in that to which he belongs; because the statute having prescribed the manner and form of such examination, he is, in fact, nothing more than the official stenographer to take down what the accused or the witness shall declare; and, consequently, as to such purposes, his acts are merely ministerial—2. *Hales, P. C.* 50, 51—3. *Bac. Abr.* 798 —*Cro. Car.* 213.

The nature of the act is not all affected by the general character of the officer by whom it is performed, as may be shown in a great variety of instances. The judgment rendered by the judges of a court, after hearing and trial, in a civil or criminal case, is a judicial act of the most obvious kind; and is, therefore, acknowledged to be such by every one. But if, in the course of a trial, a party should offer any testimony which is objected to, and is, in consequence thereof, rejected by the judge, the statute provides that, in such case, the party may immediately and correctly reduce such proffered testimony to writing, in the form of a bill of exceptions, and require the judge to put his seal to it—In which case, the duty being specifically prescribed, the judge has no discretion; the act, so required to be done, is, therefore, not judicial but ministerial; and if the judge refuses, he may be compelled to seal the exception by a writ from the superior court—2. *Inst.* 427. For although an inferior officer may be commanded to perform his official duties generally, so that the party may have his case closed in one way or other, yet he will not be commanded to perform a *judicial act* in a *specific* and *designated manner*—4. *Bac. Abr.* 509.

Judges and justices of the peace are, chiefly, judicial officers; yet many of their acts are wholly ministerial—as in the instances where certain acts of the legislature authorise these officers to take the acknowledgment of deeds, and prescribe the entire form and manner in which such acknowledgment shall be made, so that they have no discretion; it has been held that the taking of an acknowledgment, in such case, is a ministerial act—3. *H. and M'H.* 432. The sheriff is considered as the principal ministerial officer of the courts of justice, and at present his duties are almost exclusively ministerial; but anciently he held a court and was the chief judge thereof; and even now, in many instances, he acts judicially—as in executing writs of enquiry, writs of *ad quod dammum*, and the like; and, therefore, in such cases he cannot act by deputy; for, like all other judicial duty, that of the sheriff's must be performed in person—1. *Blac. Com.* 343. The duties of a coroner are also of a mixed nature. When he calls an inquest over the body of a deceased human creature, to ascertain by what means the death was occasioned, he sits as a judge, and acts judicially; but in all cases where the sheriff is interested, or in any way legally disqualified, the coroner is his substitute, and acts as the principal ministerial officer of justice—1. *Blac. Com.* 348 A constable is sometimes said to be *exclusively* a ministerial officer; yet it seems to be admitted that there are instances in which even *he* may act judicially; and when he does so act, it is held to be clear, that the duty must be performed in person and not by deputy—3. *Burr.* 1259—2. *T R.* 406—*Cald* 294.

By the common law there were a great variety of officers, who were recognized as keepers, guardians, or conservators of the peace, from the king to the constable. And their acts, as such, were, almost all of them, *ministerial;* because, they were, oftener than otherwise, duties to be performed according to some established and *prescribed form.* But, when a court of record, (for such a court was, at common law, a conservator of the peace,) or a judge, or a sheriff, or a coroner, in certain cases, 2 *Hale P. C.* 107, awarded process to apprehend an offender, and compelled him to give security to keep the peace, it was deemed a judicial act; because, such conservator was called upon to exercise a discretion, and to form a judgment according to law; and, therefore, it was held, that the act was done in virtue of his *judicial capacity*—3 *Will. Just.* 96. 2 *Hale. P. C.* 105; but, a constable could not award process to apprehend an offender; because, notwithstanding he is, by the common law, a conservator of the peace, he cannot administer an oath; and, consequently, has not the *judicial power* necessary for such purpose, *Cald.* 294. 2 *Hale. P. C.* 105.

A court is a place, where justice is judicially administered,—Co. Lett. 58,—and when either a sheriff or coroner sits in his judicial capacity, he is said to hold a court; for such a scene is, as often as otherwise, spoken of as the sheriff's or the coroner's court. So, of justices of the peace, it is said, that the ordinary course of proceedings is in their *sessions*, which are of two kinds, *private* or *public*, the former of which is ordinarily for the despatch of country business, about ale-houses, poor &c. the *public sessions* are of two kinds, the general quarter sessions, and the general sessions, that are not quarter sessions, 2 *Hale P. C.* 48, 49.

And regularly all courts and persons, *that have judicial power by the common law, or by acts of parliament for the conservation of the peace, have power to grant warrants for arresting of felons;* but such as are simply ministerial and have no jurisdiction, as constables, cannot issue warrants for that purpose, but must do their office alone, or with others called to their assistance, 2 *Hale P. C.* 105. And this judicial power whether executed by the chief justice of the nation, or an humble justice of the peace is an act of precisely the same nature: it is one of those preparatory *judicial acts* necessary and proper to be exercised by some judge or other in order to ensure an observance of the law, and to bring offenders to justice. It is, therefore, one of the common law *judicial powers* and duties of all judges and justices of the peace, 1 *Hale. P. C.* 579. 582—2 *Hale. P. C.* 107. 109.

A partial quotation from Sullivan's lectures has, however, been adduced to prove, that the determination of a magistrate on the sufficiency of the evidence and grounds on which a warrant may or may not be issued is a *ministerial* and not a *judicial* act. The whole paragraph, when taken together, however, clearly shews the reverse. "First, then, says the author, for making a *mittimus* a good warrant, it is previously necessary, that there should be an information on oath, before a magistrate having lawful authority, that the party hath committed an offence; or at least of some positive fact, that carries with it a strong and violent presumption, that he hath so done: Next, then, the *mittimus* must contain the offence in certain, that it may appear whether the offence charged is such an one as justifies the taking, whether it is bailable, or such as the law requires the detention in prison. A warrant without the cause expressed, is a void one, and imprisonment on it illegal, and so it was adjudged in Charles the first's reign, though done by the secretaries of state, by the king's authority, with the advice of his council; thirdly, the warrant must not only contain a lawful cause, but have a legal conclusion, *and him safely to keep until delivered by law;* not until the party committing doth farther order, for that would be to make the magistrate, who is only *ministerial, judicial,* as to the point of the liberty of the subject; from whence might redound great mischief to the party on one hand, or to the king and public on the other, by letting an offender escape." *Sull Lect.* 511.

The author is here speaking, not of *the nature of the act of the magistrate* in granting, or refusing a warrant, but of the *foundation, contents* and *qualities* of a warrant to arrest and the mittimus to detain a person accused, for trial. And, it is evident, he means merely to say, that when the magistrate has decided, the accused may be arrested and detained *for trial,* his discretion shall then cease, he shall decide on nothing more, he shall not adjudge, that the prisoner be detained *during his pleasure,* or *during any given time;* for, that would be to render judgment, to pass sentence as to the manner, form, duration, and object of the detention, which, being accurately prescribed by law, cannot be departed from; to do so, therefore, as the author observes, "would be to make the magistrate, who is only ministerial, judicial *as to the point of the liberty of the subject.*" Whence, it is evident, great mischief might redound; because, if the magistrate were invested with any discretion as to the form, manner, and duration of the imprisonment of the accused, he might, on the one hand, detain him in a different way, or for a longer time than was necessary to bring him to trial, or, on the other, the accused might be detained in such a manner, or, for so short a time as virtually to authorise an escape. Hence, the correctness of the provision of the law, as laid down, that where it has been judicially decided, that a person shall shall be arrested and detained for trial, the magistrate shall have no farther discretion; but, in the language of the law, shall direct, *that he be safely kept until delivered by law.* And, therefore, the execution of the warrant and the detention of the accused, subsequent to the judgment, that he ought to be arrested and detained, are *ministerial* not *judicial* acts. It is clear, therefore, that this paragraph, so far as it has any bearing upon the question, rather fortifies and corroborates than militates against what has been hitherto advanced upon this subject.

There is, however, a passage in Hawkins, and I believe the only one to be found in any law book, in which even a supposition is hazarded, that in granting a warrant a justice of the peace proceeds rather more *ministerially* than *judicially*—"And, *perhaps,* says the author, there may be this difference between the warrant of a justice of peace for such causes, which he has not authority to hear and determine as judge without the concurrence of others, and such warrant for an offence, which he may so determine without the concurrence of any other; that in the former case, inasmuch as he rather proceeds *ministerially* than *judicially,* if he act corruptly, he is liable to an action at the suit of the party, as well as to an information at the suit of the king; But in the latter case he is punishable only at the suit of the king, *for that regularly no man is liable to an action for what he doth as judge.*" 2 *Hawk. P. C. ch.* 13, *s.* 20.

But when the authorities, on which the *perhaps* in this section is sustained, are examined, it will be found utterly destitute of foundation. The whole is rested upon the case of Windham vrs. Clere, as reported in Cro. Eliz. 130, and in 1 Leonard 187, which was an *action on the case* against a magistrate for corruptly issuing a warrant against the plaintiff, and causing him to be arrested for felony, when in truth there was no accusation made whereon to ground such warrant to arrest, to the *great scandal* and damage of the plaintiff, &c. wherefore, he brought his suit—and it was held, that an action *on the case* would well lie for *such* injury.—This case then affords no *direct* support to the text of Hawkins. But, as it would seem, that an *action upon the case* against a magistrate for illegally granting a warrant, whereby the party was arrested and so injured, could only be sustained upon the ground, that he had proceeded *ministerially* and *not judicially,* therefore, the principle of law suggested by Hawkins, is correct only so far, and no farther, than this case of Windham vrs. Clere, can be deemed good law in that point of view.

But, from the account of this case, as reported in Leonard, it was not an action on the case to recover damages arising from the *false imprisonment,* but those only which arose from the *slander* of the charge contained in the warrant; the *trespass* seems to have been waved—and the judges are made to say by Leonard, that "if a man be accused to a justice of peace for felony, for which he directs his warrant to arrest him, although the accusation be false, the justice of the peace is excused; but if the party in truth was not accused before the justice, it is otherwise." This is correct, and the justice would be excused upon the ground, and none other, that he had acted *judicially* in granting such warrant. In this point of view, and to this extent

this case is sound law. But upon the other ground, that an action *on the case* would lie against a justice for maliciously issuing a warrant and causing a person to be arrested and imprisoned, who was in truth not accused, and so incidentally establishing the principle suggested in the text of Hawkins, the court of king's bench, in the case of Morgan *vrs* Hughes, 2 *T. R.* 225, say, that this case of Windham *vrs.* Clere, cannot be law; that if it were, it would confound all legal principles, which have governed cases of this kind; and that it did not appear ever to have been acted under. This section of Hawkins in which it is so very cautiously and diffidently advanced as a principle, that *perhaps* the justice in granting a warrant proceeds *rather ministerially than judicially*, is, then, a conjecture of the author's utterly without foundation.

But, admitting, that the discretionary exercise of authority with which a judge or justice is invested, for the purpose of determining on the sufficiency or insufficienoy of the evidence and grounds for issuing a warrant to apprehend a person, who may be accused of the perpetration of an offence, be a judicial act according to the principles of the common law; yet, it is said, that however near such an act may in its nature resemble judicial authority, it cannot be considered as an emanation, or a portion, however small, or of the nature of that judicial power, which forms one great branch of government. And, that the federal constitution, by the phrase in the third article, "*The judicial power of the United States*," means "to speak of trial, judgment; emphatically of the administration of justice, and not the little functions, and functionaries, which are merely incipient and ancillary to this great essential power, which are inseparably incident to it, and can with no propriety be called implied power." Is the judicial power of the common law, and of the constitution the same thing, or different in their natures; and if they differ, then, in what respect—and how far does the discrepance extend? But, if the common law of England be the common law of the United States, as has been contended by some, then there is an end at once of this question; because, as has been shewn, the nature and principles of judicial power are laid down by that law, with great precision and accuracy as to all cases, and as to this, of a magistrate's warrant, fully and unequivocally.

To ascertain what is the true meaning of the constitution, the English authorities are sometimes as freely resorted to, and as confidently relied on, as if the question were to be decided in Westminster Hall. It is proper, however, to listen to instruction from whatever quarter it may be offered, and it is commendable to borrow light and information, wherever it can be had. But, is the common law of England in force in the United States as such? has it been adopted by the constitution altogether, or in part? and if so, how much? or, are we permitted to look into the common law of England as we look into the Institutes of Justinian for instruction merely; but not to read it as the authoritative voice of the law of this land?—These are questions of the greatest moment; they at one time shook the union; and there are none, which every intelligent friend of his country would more sincerely wish to hear of being correctly settled. The utility of a perspicuous understanding upon this subject is manifested continually and in a great variety of ways. In the discussion of the question now under consideration, conceiving it to be necessary to ascertain the nature of judicial power, its principles have been explored and ascertained according to the common law; but, are we to regard that exposition as the authoritative doctrines of the code of the United States, or the mere illustrations, brought from a foreign system, which cast much light upon the principles of our own.—These reflections have suggested the propriety of suspending the investigation of the nature of judicial power, as a branch of the government, until we have bestowed some consideration upon the question, how far the common law of England is to be regarded as authority in the United States.

Whether the common law of England is the common law of the United States as such, has been so fully discussed by those, who have undertaken to consider and answer the assertion, *that "the common law of this country remains the same, as it was before the revolution."* And it has been so clearly and conclusively shewn, that the common law of England *in mass* cannot be considered as the common law of the general government, that it is deemed wholly unnecessary to re-examine the subject in that point of view. 1 *Tuck. Blec. app. note E*—4 *Niles' W. R.* 109—*The United States vrs Fluker & Morgan, in the National Intelligencer of 20th February* 1812—7 *Cranch* 32—1 *Gallison* 488—1 *Wheaton.*

But, on the other hand, are we, therefore, compelled to admit, that the United States can have no common law of *their own?* Must all the law of the United States as such, flow from the positive legeslative provisions and adoptions of Congress? Is there no medium between the adoption of the English common law *in mass*, and the rejection of every thing but the acts of Congress? And if there be a medium, where, or how shall the line be drawn? It has been repeatedly said, that the constitution of the United States contains many words and phrases, which can only be explained, or understood by having recourse to the common law of England; and that, to obtain a correct and clear idea of its meaning, it is proper to refer to the books of the common law—But, when we have so ascertained its meaning, it would seem to be the opinion of some, that we must there stop short, and wholly reject every portion of that law, which was found so necessary to the true exposition of the instrument itself; while others contend, that those words and phrases of the constitution, prove the *existence* of the common law, and that it is appealed to for the construction and interpretation of its powers; and, therefore, that the common law must have been thus incidentally adopted—1 *Gallison* 488.

But, we are not informed to what extent it is thus indirectly adopted; and, indeed, from the manner in which this incidental adoption is spoken of, it would seem to be intended, that, in all cases where the laws of the United States were deficient, recourse might be had to the English system, to supply such deficiency; which would, in effect, amount to the same thing as a declaration, that the common law in general should be in force in the United States in all cases; except where it was manifestly incompatible with the constitution or was abrogated by acts of Congress. But to prove the *existence* of a code of laws, or that it is recognized by the constitution, or appealed to for the explanation of some of its phrases, does not prove the *total* adoption, or the introduction of any *entire part* of such code of foreign law; nor does it furnish any criterion whereby to regulate the adoption of such of those *positive institutions and customs, not specifically alluded to*, which might be thought necessary for the preservation of the government—as for instance, it is said, that the common law in

stitution of primogeniture in the succession to estates is adverse to the nature of our government, yet there is nothing in the *existence* of the common law's being constitutionally recognized, or *appealed* to for elucidation, that would, in itself, direct the rejection of the doctrine of primogeniture, and the adoption of the special custom of gavalkind in its stead.

When we speak of the common law, it is universally understood, that a portion of the legal code of England is alluded to and designated; because, no part of the laws of any other nation is distinguished by that particular name. But if we attend to the description, which the english lawyers give of their common law, it will appear to be of two kinds, and that the code of every civilized nation contains a similar portion of law. The common or unwritten law of England is formed, it is said, in part of customs and immemorial usages; as who shall succeed as heir to the ancestor, what is the ceremony requisite for passing a freehold, what estate and how much the wife shall have for her dower, trial by jury, the full age of persons, and many other such matters, which are considered as the express and positive usages or common law of the land. This part of the common law is local, and peculiar in its nature to England. Every nation, however, has its peculiar usages; and, therefore, in that sense a common law of its own. The people of the States of United America brought with them, or adopted the greater part of those positive english customs and usages. And there are many instances of one nation's introducing or borrowing from another this species of common law. It would be difficult, however, to prove or comprehend how the *whole*, or any, *entire branch* of this kind of english common law had been simply transferred into the United States by the federal constitution. But several portions of this species of the common law, or the customs and usages of England have been specifically referred to, and rendered necessary to the understanding and efficacy of our constitution; and, consequently, so far, and to that extent those portions are adopted, but no farther.

The other kind of common law is formed of those principles, which flow as inevitable consequences from some customary, statutory, or constitutional provision; or those principles suggested by circumstances, and the nature and reason of the thing itself. This sort of law, although it forms a part of what is called the common law of England, yet is not peculiar to that code. Its rules and precepts are the same in all civilized nations. It is formed, not according to the peculiar doctrines of the common law, but from the dictates of *sound sense and justice*, common to civilized man. It is *natural law* and *natural reason* applied by the courts of justice to the purposes of the society to which they belong. And it appears by every book of reports of decisions of Westminster Hall, that the English courts are continually adopting this natural law, and applying it to the various novel cases, that are produced by the changes in the state of society, and the fluctuations of human affairs. A cursory comparative survey of the codes of different nations would furnish a multitude of instances of this catholic or universal species of law. It is according to the principles of this species of law, that the rules which govern in cases of bailment and common carriers, are found to be nearly the same in the code of ancient Rome, Greece, and Judea, of England, continental Europe, Hindostan and China—*Jones on Bailment, and Jeremy's Law of Carriers.*

Reason and experience unite in teaching this species of law to every nation. The rule of proceeding is defined by the solution of new cases; the principles of which being recorded and reported, for the scrutiny of further experience, are thus gradually formed into useful guides for future conduct in judicial affairs. It is thus, slowly and surely, and rationally, that this portion of the code of every nation is formed. The great body of the Roman law was formed chiefly in this way. And as the civil and canon laws have their canons, decrees and decretal determinations extant in writing; so those laws of England, not comprised under acts of parliment, are to be found in records, in reports of judicial decisions, and in tractates of learned men. In both codes the errors or the vices of the Prætor or the Judge expired with his office, and such maxims alone as had been approved by reason and practice were copied by those who succeeded—*Hales Hist. Com. L.* 23. *Gibbon's D. and F. ch.* 44. For the law would be a strange science indeed if it were decided upon precedents *only*. Precedents serve to illustrate principles, and to give them a fixed certainty. But the law, which is exclusive of statutes and positive institutions, *depends upon principles;* and these principles run through all the cases according as the particular circumstances of each have been found to fall within the one or other of them—*Comp.* 39. 3 *T. R.* 63. 2 *Ld. Raym.* 957. The Institutes of Justinian and the Code Napoleon, stampt with the name and authority of powerful Emperors, like the commentaries of Blackstone, which have no allowance but that of common opinion, are little more than a methodised and condensed digest of those scattered usages and judicial decisions, the *principles* of which are drawn from the great fountains of *natural reason* and *natural law.*

In this sense and according to those notions then, the United States have a common law—not that of England, or of Rome, or of France, but *the common law of the United States*—and the common law of this republic consists of all those usages of England, or the legal principles of other codes specifically refered to, and which are necessary to expound and give effect and operation to the constitution itself; together with that body of natural reason and natural law, necessary to the political, and municipal welfare of the society, and which are not controlled or altered by the positive provisions of the statutory and fundamental laws of the federal government.

The United States exhibits the extraordinary spectacle of an entirely new and original frame of government, having been called into existence by the unbiased will, and voluntary impulse of a free and independent people. It is universally allowed as a general rule, that when any portion of a nation segregates itself from the mother country, and settles in an uninhabited region, it carries with it all the laws by which it was previously governed. 1 *Tuck. Blac.* 108. Because, since society must have some rules and principles of justice, by which to regulate the concerns of its members, and their intercourse with each other, those in existence at the time cannot be presumed to be abrogated by the mere act of separation, but must be continued in force, so far as circumstances will allow, and until abolished by positive enactments; and, for these reasons, as it would seem, it has been held, that even a moving and unsettled portion of society, such as an army, must, in the absence of other municipal law, be governed by that of the country from which it emanated—10 *East.* 288.

With regard to the United States, however, the facts and the circumstances are exactly the reverse; instead of a *segregation* of one portion of society from another, there has been an *aggregation* of many distinct societies into a larger one; and instead of enquiring what laws have been discontinued or abolished by the separation it must be ascertained what laws have been directly or indirectly adopted or are necessary and common to the union. The case is entirely novel; it is altogether unique; it has no precedent nor parallel. Hence the difficulty of ascertaining, what may be truly considered as embraced by the code of such an *aggregation*, the code of each component society of which, is known to be, in many respects, essentially different from every other of the confederation. In this new and extraordinary case, there seems to be no other mode of solving the difficulty, but by having recourse, in the first place, to the language of the compact of union, thence to ascertain, whether any and what are those positive rules and institutions, that have been adopted; and in the next place to deduce those principles of law, common to all civilized society, that is of *natural reason* and *natural law*, which are necessary and essential and which may be considered as common to the union at the time of its formation.

On entering upon the examination of the various provisions of the constitution for the purpose of ascertaining what has been adopted from foreign codes, it will be perceived that the most important as well as the most controverted are those relative to the judicial department of the government. The constitution provides for the establishment of courts of justice; it specifies the *objects*, the *subjects*, and the *controversies* of which they shall have jurisdiction; and it speaks in distinct terms of *three modes* in which those courts may exercise their judicial functions over the cases so placed under their jurisdiction. It is declared, "that the judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the congress may, from time to time, ordain and establish." If the constitution had said nothing more than this, concerning the judicial power of the U. States, it is clear that the manner of organizing such courts, the appointment of the judges, the tenure by which they should hold their offices, the objects and extent of their jurisdiction, as well as the manner and form in which their judicial powers should be exercised, must be prescribed and declared by statutory provisions, before such tribunals could act in any way whatever. But the constitution has provided for the appointment of the judges, the tenure by which they shall hold their offices, and in enumerating and describing the objects, subjects and controversies to which the judicial power shall extend, it adds these expressions, descriptive of the manner in which such judicial power shall be exercised, "all cases of *law* and *equity*," and "all cases of *admiralty and maritime jurisdiction*"—and in the seventh amendment declares, that "in *suits at common law*, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by jury shall be otherwise re-examined in any court of the United States, than according to the *rules of the common law*."

It is manifest, that these phrases of the constitution are used for the purpose of designating the form and manner in which judicial functions may be exercised, which are totally different from the principles of law applicable to the case itself—a seaman may sue for his wages at common law, or in the admiralty court; and if he should wish to obtain evidence of the contract from the defendant himself, or there should be any thing peculiar in its nature, which the rigid forms of the common law cannot reach, he may apply to a court of equity for relief. But whatever may be the judicial forms he may use, or of the forum to which he may apply for relief, the nature of his case and the principles of justice by which it should be governed remain the same. The principles of law and justice applicable to a case have, at all times and in all nations, been held to be essentially distinct from, and wholly unaffected by the forms of judicial proceeding, by which those principles of justice may be carried into effect—and in the wide extent of the commercial connexions and operations of modern times, it is by no means uncommon to observe the principles of commercial law recognized to be precisely the same, by various nations, yet operating and enforced by the greatest variety and diversity of judicial forms and proceedings.

These clauses and phrases of the constitution, then, not only enumerate the kind of *objects*, *subjects* and *controversies*, to which the jurisdiction of the union shall extend, but their peculiar expressions also designate the forms and manner in which that jurisdiction shall be exercised, by the rules of the common law, in equity, or according to the forms and practice of cases of admiralty and maritime jurisdiction. When the constitution gives jurisdiction of a controversy and speaks of that jurisdiction being exercised, as "in a suit at common law," the inference is inevitable; it is essentially necessary to a fair understanding of the constitution, its operation and efficacy, that such jurisdiction should be exercised in that way and no other—and, consequently, all the forms and modes of proceeding of that common law, so spoken of, as descriptive of the exercise of judicial functions, must by the clearest implication be held to be adopted, so far as it is necessary to administer justice in the cases in which such jurisdiction is given. The implied adoption of the common law, in this way and to this extent, is as strong as if the constitution had directly declared, *that the courts should in such cases exercise their jurisdiction according to the course of the common law and none other.*

The same may be said of cases of equity, and of admiralty and maritime jurisdiction. And the manner in which the constitution speaks of these *three modes* of proceedings in contrast, and in describing the judicial power of the United States, strengthens and confirms the argument in favor of the implied adoption of so much of each of those *three modes of proceedings* as is necessary to give effect to the judicial authority of the government. And the uniform interpretation of these phrases of the constitution has been, that they were intended to refer to, and recognize three distinct and known forms of judicial proceeding, as well as to describe and illustrate the nature and extent of the judicial power of the United States.

It is a rule of the english common law relative to the interpretation of statutes, that if a statute make use of a word the meaning of which is well known at the common law, the word shall be understood in the same sense it was understood at the common law. The sound sense of this rule is so obvious, that its principle has been repeatedly urged and admitted as a rule of construction applicable, as well to our constitution, as to all other instruments. Hence, it seems to be generally agreed, that when the constitution uses words known only to a particular code of laws, such words should carry with them the same sense, force, and operation, as far as

circumstances will allow, that they have according to the code of laws to which they are peculiar.

The third section of the third artical of the constitution declares, that "the trial of all crimes, except in cases of impeachment, shall be *by jury*;" the 5th amendment provides, that "no person shall be held to answer for a capital, or otherwise infamous crimes, unless on a presentment or indictment of *a grand jury*; the sixth amendment provides, that "in all criminal prosecutions, the accused shall enjoy the right *to a speedy and public trial, by an impartial jury* of the state and district wherein the crime shall have been committed;" and the seventh amendment provides, that "in suits at *common law*, where the value in controversy shall exceed twenty dollars, the right of *trial by jury* shall be preserved."

This form of *trial by jury*, here spoken of, prevails in every state in the union; all of them have adopted it from the English common law; and in all, with the exception of some few unimportant statutory modifications, it is altogether regulated by the rules of that law. It follows, therefore that it must be the trial by jury according to the course of the English common law, which is spoken of in these clauses of the constitution—and this form of trial being thus specifically adopted, it must be used in the administration of justice in all the cases designated—and consequently, after a court was completely organized pursuant to the provisions of the constitution, the first enquiry naturally would be, supposing congress to have made no provision upon the subject, how it should proceed to grant this form of trial by *an impartial jury*, which it is declared the party shall enjoy and which shall be preserved in all cases?

The first step would be to cause the jury to be convened in the most proper manner, and by an officer who was altogether impartial. By the common law, the jury must come from the neighborhood where the offence was perpetrated, or the litigated matter arose, and be selected and summoned by the sheriff, as the chief ministerial officer of the court —which sheriff, by the common law, was elected by the people of the county within which the fact intended to be tried was alledged to have happened. But the U. States as such, have no counties; and the marshall, who is the chief ministerial officer of *their* courts, is appointed by the president. The jury, therefore, as is expressly provided by the constitution in criminal prosecutions, must come from the state or district wherein the crime shall have been committed, and in all other cases from the body of the district placed within the jurisdiction of the court: and be selected and summoned by the marshal—2. *Dall.* 341, 345, 382. By the common law the jury, in order to be impartial, must be selected and summoned by the coroner, in case the sheriff was interested; or by an *Elisor* in case they should both of them be legally disqualified—as the constitution specifically requires an *impartial jury*, the court must, therefore, follow the common law, and appoint an *Elisor* where its regular ministerial officer is presumed to be under too strong a bias to be intrusted to make a selection of an impartial jury —and the court must also adopt all the doctrine of of challenges, which is founded in the very reason and nature of the institution itself, 4. *Dall.* 414, as well as all the other regulations relative to the rights and duties of juries and the nature of verdicts.

But this form of jury trial, although so often and distinctly spoken of, as necessary to be adopted for the better administration of justice, yet it cannot be introduced exactly according to the common law forms and principles, in all cases whatever, owing to the state of our society and the positive provisions of our constitutions—as in the case of a *writ of right;* in which case, when the *mise* was joined upon the mere right, such issue could only be tried, according to the course of the common law, by the *grand assize*, which must consist of *four knights* of the county, in which the controversy was to be tried, *girt with swords*, and twelve other jurors, in all sixteen jurors or recognitors—3 *Wils.* 420, 541. But as there were very few or no titled personages in any of the colonies before the revolution, the English common law, in this respect could not be executed; and therefore, it is believed, never was introduced into any of them—*Kilty's report*, 74. Such a form of trial is now, however, clearly incompatible with that provision of the constitution which declares, that "no title of nobility shall be granted by the United States."

The ninth section of the first article of the constitution provides, that "the privilege of the writ of *habeas corpus* shall not be suspended, unless, when, in cases of rebellion or invasion, the public safety may require it." Here is another instance of one of those technical phrases of the English system, which has been frequently adduced to prove the adoption of the common law. By that law all the judges of the superior courts, recognized as the main judicial branches of the government, might in court, or in vacation, grant such writ of *habeas corpus* as is here alluded to—3. *Bac. Abr.* 438, *note.*— There could, therefore, be no difficulty in adopting a form of writ suited to the purpose; in giving the power to issue and use it to that analogous class of judicial officers, who are specifically made a branch of our government by the constitution; and in applying to such process all those rational principles of the common law, which experience has shewn to be necessary to its utility and efficacy. But with regard to the writ of *habeas corpus*, the trial by jury, and all other cases of the introduction of the positive institutions of the common law, they cannot be allowed any farther than they may be necessary to give effect and operation to those parts of the constitution, in which they are spoken of and referred to, or than may be perfectly compatible with the whole of our civil and political system.

But, the constitution contains words and phrases, which, must, evidently, be expounded by a much more comprehensive view of law, than that of the mere municipal code of any nation whatever. Those provisions relative to cases of admiralty and maritime jurisdiction, cannot be limited exclusively to the adoption of the english principles on that subject; because, cases of admiralty and maratime jurisdiction are every where governed by the law of nations; the constitution, therefore, as to such matters, must be construed to extend to, and embrace those principles of national law incident to the subjects spoken of—And by the ninth section of the first article it is declared, that "no title of nobility shall be granted by the United States." The phrase, *title of nobility*, is as well known to the common law, as that of *Habeas Corpus, trial by jury*, or any other such expression; but, to limit its meaning to that species of *nobility* recognized by the English system alone, would be completely to evade, and entirely to prostrate its genuine spirit—The manifest scope and object of this clause, when taken in connexion with the whole, is to prohibit titles and their incidents of all descriptions as established in any age or nation whatever. It must, then, be presumed, that by such passages of the constitution as these, all

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those legal principles, rules and regulations, from whatever source they may be derived, are introduced, which are necessary to the complete effect and operation of such clauses when taken with reference to the subject matter spoken of and in connexion with our circumstances and political institutions.

By the eighth section of the first article it is provided, that "the congress shall have power to exercise exclusive legislation over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings." And by the third section of the fourth article "the congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States." When such places, as are here spoken of, are ceded to the United States, it would seem, that they carry with them under the jurisdiction of their new sovereign, upon the general principles which govern in such cases, all those municipal laws, which were in force at the time of such cession within such places. This was held to be the case in the territory, now forming the states of Tennessee, Ohio, and Indiana, and the territory on the Mississippi; and I presume would be held to be the case also, in Fort McHenry, Springfield and other arsenals or places within which the United States have obtained by cession the right to exclusive legislation—And, consequently, that the mode of transferring estates, the right of inheritance, and succession to estates real and personal, and the like, would be governed by those laws in force, at that place and at the time, when the cession was made; so far as such municipal regulations can be adopted, and until they are altered by congress. But, the want of justices of the peace and some other offices and officers in such places will render it impossible to execute some of the municipal laws of the state in any way, and perhaps, therefore, they cannot for that reason, be considered as adopted: such as the authenticating or recording of deeds for the transfer of property or the bringing of suits by warrant for the recovery of small debts, &c.

As to those principles of law, founded on natural reason or deduced from positive institutions, and the circumstances and nature of things, they are so obvious in themselves that one or two examples will be sufficient to illustrate their nature and application. When a statute prohibits a thing without imposing any penalty, the injured party may have his action, or the violator of such law may be prosecuted and punished by fine and imprisonment—6. *Bac. Abr.* 392. And where an act is prohibited under a penalty, but nothing is said about the disposition of such penalty, when recovered, like all forfeitures or property which has no designated owner, it shall be paid into the treasury and belong to the state—*Stra.* 828. These are principles of *common reason*, as well as of English *common law*, growing out of the positive provisions of the statute law, taken in connection with the circumstances, and the nature of government. They are, therefore, as entirely applicable to the United States as to Great Britian or to any other nation. The breach of a law should be punished in some way; the positive provisions of the constitution require, that the trial and conviction should be by jury according to the course of the common law; and they prohibit the imposition of excessive fines, or the infliction of cruel and unusual punishments. From the nature of things and according to the spirit of the constitution, therefore, and not because the English common law so directs, the punishment, where none other is prescribed, can only be by fine and imprisonment—And as to the other case, it is a universal rule, that where a thing is forfeited, and no individual owner of the forfeiture is pointed out, it must belong to the state—And this rule is not the more or less the law of the United States because it is a rule of the English common law; but it is the law of the union, because it is the unequivocal dictate of sound sense.

If the various provisions of our limited constitution be thus carefully examined and persued, it will be found to have thus, from various sources and in different ways, provided a code of laws fully commensurate to all its legitimate ends and objects.

Having by this investigation shewn, that the manner and form in which the judicial power of the U States is to be exercised, in criminal cases, must be according to the course of the common law, it follows as an inevitable consequence that a judicial act, *in the sense of the constitution* in such cases, must be substantially and essentially the same as a judicial act *in the sense of the common law; and, therefore, that the granting of a warrant to arrest a felon is a judicial act within the meaning of the constitution.*

But lest any doubt should still be entertained, whether this species of *preparatory judicial act* was intended to be embraced under the general expression, "*the judicial power of the United States,*" it will be proper to consider, what was the subject matter spoken of; and what was understood to be the exact boundaries of judicial power, considered as a constituent branch of government, by those respectable political and legal writers, with whom, and those legal controversies with which the framers of our constitution were most conversant.

The broad distinction between judicial and ministerial or executive power, in the administration of justice, has been well understood and clearly recognized in the codes of all civilized nations; the distinct natures of the duties of the *Prætor* and the *Lictor*, of ancient Rome, were as different and as well understood as those of a *Judge* and a *Sheriff* at this day. Judicial and ministerial or executive powers and duties have been variously united in the same officer, but never confounded with each other. The great utility of separating them altogether, however, and placing them in different hands, as a division of power requisite for the protection of civil and political liberty, is an improvement in political science of modern date; one which never has been carried into complete operation in any country, but this of the United States. Montesquieu fancied he saw such a division of power distinctly traced in the English constitution; adopted it as a political axiom, explained its value, and gave it currency among civilized nations. This

division of power was recognized and incorporated into all the constitutions of the United States that were framed immediately after the declaration of independence. It was afterwards engrafted into the constitution of the United States; and from the writings of the "Federalist," and other political essays of that time, it appears that the judicial power, spoken of in the constitution of the general government, is deduced from that which was understood by the political and legal writers of England as one of the members or the instruments of the English constitution.

It is remarkable, however, that most of the writers on that constitution, enumerate the three constituent branches of that government as consisting of the king, the lords, and the commons; they all describe the judicial authority as a part of the executive or royal branch; as a subdivision of one of the three principal divisions of power. The primary checks and balances of the English constitution are founded on a separation and distinction of *classes and orders of men*; those of the American constitution spring from the division of *the forms, modes and principles of action*. The American primary political checks and balances are derived from the division, *not of men into classes, but of power into the modes by which it operates*—as the legislative, the judicial, and the executive. Those of the English constitution are artificial, incongruous, and the perpetual source of jealousy and strife; those of the United States are rational, natural, and peaceful in all their operations.

But, since it is clear, that the judicial power, as a branch of the American government, was derived from the English notion of judicial power, considered as a portion of the executive branch of that government, it will decide the question now under discussion, to ascertain with precision, what was meant by such judicial power?—and whether the incipient and ancilliary judicial act of a justice of the peace, in deciding on the propriety of granting a warrant to arrest a person accused of a breach of law, was a portion of *that* judicial power?

Coke, Blackstone, Delolme, and other writers on the English law and constitution, after describing the judicial power as a part of the executive branch of the government, state that every portion of the executive office of the chief magistrate, called the judicial power, has been completely and entirely delegated to a distinct set of courts and officers, who are, in one way or other, independent of the king and responsible for their conduct—2. *Inst.* 71—1. *Blac. Com.* 266—*Delolme* 233. They lay great stress upon the advantages resulting from this total transfer of judicial power to a distinct order of officers; particularly as relates to the personal security and liberty of the citizen, in the administration of criminal justice. And, when treating in detail of criminal prosecutions, they point out the various forms and methods by which truth and impartiality may be attained, so as effectually to secure the citizen from unreasonable arrests, imprisonment, persecution, and oppression.

"We are now, says Blackstone, to consider the regular and ordinary method of proceeding in the courts of criminal jurisdiction; which may be distributed under twelve general heads, following each other in a progressive order—viz. 1. Arrest; 2. Commitment and bail; 3. Prosecution; 4. Process; 5. Arraignment, and its incidents," &c. And, speaking of the arrest, he says "that a justice of peace hath power to issue a warrant to apprehend a person *accused* of felony, though not yet *indicted;* and he may also issue a warrant to apprehend a person *suspected* of felony, though the original suspicion be not in himself, but in the party that prays his warrant; *because he is a competent judge of the probability offered to him of such suspicion*. But in both cases it is fitting to examine, upon oath, the party requiring a warrant, as well as to ascertain that there *is* a felony or other crime committed, without which no warrant should be granted, as also to *prove* the cause and probability of suspecting the party, against whom the warrant is prayed. This warrant ought to be under the hand and seal of the justice; should set forth the time and place of making, and the cause for which it is made, and should be directed to the constable or other peace officer, (or it may be to any private person by name) requiring him to bring the party either, generally, before *any* justice of the peace for the county, or only before the justice who granted it; the warrant in the latter case being called a *special* warrant. A general warrant to apprehend all persons suspected, without naming or particularly describing any person in special, is illegal and void for its uncertainty; *for it is the duty of the magistrate, and ought not to be left to the officer, to judge of the ground of suspicion*—4. *Blac. Com.* 289, 290.

"We are now, says Delolme, to treat of an article which, *though it does not in England, and indeed should not in any state, make part of the powers which are properly constitutional, that is, of the reciprocal rights by means of which the powers that concur to form the government constantly balance each other, yet essentially interests the security of individuals, and, in the issue, the constitution itself;* I mean to speak of *criminal justice*. But, previous to an exposition of the laws of England on this head, it is necessary to desire the reader's attention to certain considerations"—*book* 1, *ch.* 12. "After having offered to the reader, says the author, in the preceding chapter such general considerations as I thought necessary, in order to convey a juster idea of the spirit of criminal judicature in England, and of the advantages peculiar to it, I now proceed to exhibit the particulars. When a person is charged with a crime, the magistrate, who is called in England *a justice of the peace*, issues a warrant to apprehend him; but this warrant can be no more than an order for bringing the party before him: he must then hear him, and take down in writing his answers, together with the different informations. If it appears on this examination, either that the crime, laid to the charge of the person who is brought before the justice, was not committed, or that there is no just ground to suspect him of it, he must be set absolutely at liberty; if the contrary results from the examination, the party accused must give bail for his appearance to answer the charge—unless in capital cases—for then he must, for safer custody, be really committed to prison, in order to take his trial at the next sessions."—*B.* 1, *ch.* 13.

"I come now, says Hale, to consider of arrests of felons, or persons suspected of felony, by warrant or precept—namely, *not of precepts that issue upon matter of record*, as upon appeals or indictments, which regularly are to be by writ, *but such warrants as are preparatory to it*, or for conservation of the peace. And herein *regularly all courts and persons, that have judicial power by the common law, or by act of parliament for the conservation of the peace*, have *power to grant warrants for arresting of felons;* but such as are simply ministerial and have no jurisdiction, as constables, *cannot* issue warrants for that purpose, but must do their office either alone or with others called to their assistance."—2. *Hale's P. C.* 105.

And where a person had been arrested and imprisoned by a warrant, under the king's own hand, he was released; because it was held, that the whole of the judicial power, incident to his office, having been delegated to others, he could not grant such a warrant, 1 *Bac. Abr.* 607; *Forsesque's Rep. pref.* xii. But this portion of judicial power, to issue a warrant to apprehend a person on a criminal charge, was not yielded by the kings of England, until after many and great struggles; particularly by the sovereigns of the house of Stuart. This subject was, for the last time, elaborately investigated and discussed, just before the American revolution, in the celebrated cases relative to general warrants; and in the case of seizure of papers of Entick *vs.* Carrington, lord Camden, who delivered the opinion of the court, in the year 1765, throughout, speaks of the granting of a warrant to arrest and detain a person, on a criminal accusation, *as a judicial act;* and as a very important portion of that *judicial power*, which could not with consistency and safety be entrusted in the hands of the king, the secretary of state, or with any other than those who properly came under the denomination of judicial officers—11. *State Trials*, 313.

And the judicial power of the United States, considered either in a legal or political aspect, or in whatever way it may be exercised, or whomsoever may be clothed with it, is always spoken of and allowed to be of precisely the same *nature*, in all respects whatever, as that of England. The only difference between the two, which can be deduced from any author, consists, not in the *nature* of the power itself, but in the *place* which it occupies in the constitution of the nation. In that of England it does not "make a part of the powers which are properly constitutional;" in America it forms one of the constituent branches of the government—2 *Dall.* 297, 384—3. *Dall.* 42, 318, 473—4. *Dall* 429, *app.* xxvi—1. *Cran.* 10, *note* 165—2. *Cran.* 179—3. *Cran.* 161, 163, *note*, 173, 535—4. *Cran.* 23, 93, 216—5. *Cran.* 185–7. *Cran.* 32—1. *Gallis.* 488—*Brack. L. M.* 305, 339.

Upon the whole, then, it is clear, that the judicial power spoken of in the constitution of the U. States, and the judicial power of the common law, are, in all respects, the same; and that the granting of a warrant by a justice of the peace is one of those preparatory, incipient and ancillary *judicial acts*, which is a portion of that judicial power which forms one of the great branches of our government; and being such a *judicial act*, it can only be performed by a judge or justice of the United States, and not by any state officer whatever, as such.

"But, as has been said, it certainly will not be contended, that congress can, by a mere legislative act, create the office and officer together—ordain and establish the court and the judge at once—and thus deprive the executive branch of its right of appointment; and so destroy the most valuable among the checks contained in the constitution—which provides that the *law* and the *executors* of the law shall emanate from different sources, so as to countervail the irregularities of each other"—And for this purpose one of the great fundamental maxims of all the American constitutions requires the separation of the departments of power; and that the making of laws, the judging of the application of laws, and the execution of them, should not be united and invested in the same persons; but be separated and confided to different persons—who should, also, as far as practicable, be clothed with authority by *different means.*

The very great security to the rights and liberties of the people, flowing from such a separation and division of power, has been fully explained, not only by many foreigners, but also by some of the most eminent of our countrymen. Mr. Taylor, in his work entitled "An enquiry into the principles and policy of the government of the U. States," maintains it to be one of the best of the principles of our excellent constitution. "In order, says the Federalist, to lay a due foundation for that separate and distinct exercise of the different powers of government which, to a certain extent, is admitted on all hands to be essential to the preservation of liberty, it is evident, that each department should have a will of its own; and consequently should be so constituted that the members of each should have as little agency as possible in the appointment of the members of the others"—*No 51.* In short, this maxim which requires the separation of the departments of power, it was believed, was so universally understood and approved, that it would be sufficient to notice it in the most concise terms for the purpose of shewing how fully opposed it was to the passing of an act of congress, which should, in itself, confer judicial power and also designate the person who was to assume and exercise it.

But this constitutional maxim, thus merely referred to as one, which obviously stands in the way to prevent congress from transferring the judicial power of the nation to any of the officers of the states, has been treated as an interpretation of that instrument not only inadmissable, but even ridiculous—"But, it is said, it may, perhaps, be insisted, that though the constitution does authorize congress, by law, to vest the appointment of inferior officers in the president alone, in the courts of law, or in the heads of departments, it does not authorize congress, though both houses and the president should unanimously concur, *itself to appoint immediately by law.* This would really be construing the constitution like an old pleading without allowing the benefit of the statute of jeofails—*qui cadet a syllaba, cadet a tota causa. A rational construction, it would seem, would authorize congress to do itself what it can, at its pleasure, authorize an inferior body or an individual to do.*" By the second section of the second article of the constitution it is provided, in conformity with the maxim which requires the separation of the departments of power, that the president "shall nominate, and by and with the advice and consent of the senate, shall appoint ambassadors, other public ministers, and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, *and which shall be established by law.* But congress may, by law, vest the appointment of such inferior officers as they think proper in the president alone, in the courts of law, or in the heads of departments." And is it possible, that any one could seriously conceive, that a *rational construction* of this clause would authorize *congress itself* to make the appointments to office as therein mentioned? The assertion is too grossly absurd to need reply of any sort.

But it is said, that "it may be safely admitted that congress cannot directly by law appoint an officer whom it can authorize an individual to appoint, and yet the difficulty will not occur in this case. This is not the case of an appointment. The magistrates of the state are not, by the act of congress, constituted officers of the United States—*they are merely authorized to do a certain act.*" An office is defined to be, "that function, by virtue whereof, a man hath some employment in the affairs of another, as of the king or another person"—*Jacob*

L. D verb. office. It seems to be difficult to distinguish between that which is thus defined to be an office and the being "*merely authorized to do certain acts*" The author of the 81st number of the Federalist, who was himself a distinguished member of that convention which formed the constitution, appears to have been strongly impressed with a belief that the being thus "*merely authorized to do a certain act*" would amount to an appointment, which there were some very substantial reasons should not be made. But why, it is asked, (says he) might not the same purpose have been accomplished by the instrumentality of the state courts? This admits of different answers—Though the fitness and competency of these courts should be allowed in the utmost latitude, yet the substance of the power in question may still be regarded as a necessary part of the plan, if it were only to authorize the national legislature to commit to them the cognizance of causes arising out of the national constitution. *To confer upon the existing courts of the several states the power of determining such causes, would perhaps be as much "to constitute tribunals," as to create new courts with the like power.* But ought not a more direct and explicit provision to have been made *in favor of the state* courts? *There are, in my opinion, substantial reasons against such a provision,*" &c.

"That it is not, however, an appointment in the sense of the constitution will, it is said, be proved by reference to the undisputed practice of some of the state governments."

"By the constitution of South Carolina, justices of the peace shall be nominated by the senate and house of representatives, jointly, and commissioned by the governor—Yet the clerks of the courts, the wardens of the city of Charleston, and many other officers of the state, are vested by acts of the legislature with the powers of justices of the peace. The like case probably occurs almost in every state of the union, and the argument of unconstitutionality, which we are now examining, will equally apply to them all."

There is not the least doubt, that this case does actually occur in every state of the union; and there is as little doubt, that it is perfectly correct and constitutional—And this is the case cited to prove, *that the legislature of one sovereignty may constitutionally transfer its judicial power to the officers of another sovereignty!* Before the total dissimilarity of these two cases are exhibited in contrast, it will be proper to set down a few undisputed fundamental principles—All the American constitutions are predicated upon the separation of the departments of power; all of them prescribe the manner in which their several officers shall be appointed; not one of them authorizes an appointment to be made in the form of a mere legislative act: The legislatures of each state of the union has the power either according to the constitution or otherwise to establish courts of justice, and to authorize such courts to appoint their own officers, clerks, &c. And the legislature of each state also has the power to create and establish bodies politic and corporate *with the assent of those to be incorporated*, and may invest such corporation with the power to make bye laws, and to appoint or elect its own officers, who are to execute the municipal laws of the state and the bye laws of the corporation within its own boundaries. All these officers derive their power from the *same sovereignty*, yet they are neither those who made nor the *mere agents* of those who made the law; they are clothed with power by means different from those of the legislators, and thus the *separation* of power is preserved; and also the *political check* to the abuse of power intended to spring out of such separation.

In the case of the transfer of power by act of congress to the officer of a state, such person has no other legal existence *as an officer of the union*, than that which is given him by the law in which his power and person are both disignated; he is, therefore, *appointed by the law*, officially created and commissioned by it—In the one case, the rule is laid down as prescribed by the constitution, and the officer is appointed according to a mode also prescribed either directly or indirectly, by the same constitution; but in the other case, the rule is laid down, and the person, who shall execute it, is designated by an official description, which is unknown to the constitution and laws of *that sovereignty, whose legislative rules he is authorized to execute.* The legislature may create an office, and the right of appointing the officer will vest in the executive, or in the manner declared by the constitution; or it may create a corporation, with the assent of those to be incorporated, and prescribe the manner in which the corporators shall elect or appoint their officers; and it may lay down rules by which each class of officers shall be governed in the administration of justice, or in the conservation of the peace. But the legislature cannot, constitutionally pass a law declaring, that such and such persons, designating them by name, places of residence, professions, trades, or commissions, (held under other sovereignties) shall execute such law. In this respect their can be no difference between saying, that John, Thomas, &c. shall execute the law, and declaring that all those men who hold such a commission in such a state shall execute the laws of the union; because, the determination on, or the execution of the legislative rules of the sovereignty is not in such case refered to the judicial or executive power of the *same* sovereignty; but to persons designated by the legislature, and who derive their authority wholly from its acts; and who are not commissioned as those are, who, alone, the constitution declares, shall be intrusted with its judicial or executive power. Each constitution of the union has three separate departments of power; to each legislative body, there is assigned a judiciary, who shall apply, and an executive, who shall execute the laws promulged by such legislative body: and, therefore, to permit those laws to operate by any other means than those constitutionally disignated agents, is to suffer its best principles and primary checks and balances to be totally abolished.

But the great principles contended for, as will be seen by adverting to the question propounded as the text to these observations, are not confined to mere *judicial* powers and officers, it embraces all, *legislative* and *executive* as well as *judicial* power.—They are, *that* "*every government ought to possess the means of executing its own provisions, by its own authority; that the peace of the whole, ought not to be left at the disposal of a part; that the general government must carry its agency to the persons of the citizen; that it must stand in need of no intermediate legislations; but must itself be empowered to employ the arm of the ordinary magistrate to execute its own resolutions; that it must have been the intention of the framers of the government of the union, that it should be provided with powers fully commensurate to those great objects; and also, that those powers should be so distributed among its own agents, as to enable it to act from itself by its own motion; and not through the instrumentality of any other independent sovereignty.*"

The authority of a justice of the peace to grant a warrant to arrest, it is asserted, is a *ministerial* or *executive* act.—Let it be conceded, that it unques-

tionably is so—And what then? The ground is somewhat different, the scene is shifted—But is any thing gained? Change only a few words, and all the argument against the transfer of *judicial power* to a state officer, instead of being answered or weakened, rises again with renewed and added strength. The first section of the second article of the constitution declares, that "the *executive* power shall be vested in a president of the United States of America," and the same article then proceeds to describe in what the executive power shall consist, &c. Here then is the executive power of the United States. The congress have no right to prescribe where *this* executive power shall or shall not vest; they may create executive *offices* and *duties;* but they must be *filled* and *discharged* in the manner prescribed by the constitution, and in no other way. And so we may proceed step by step to apply all the arguments that have been advanced respecting the *judicial* power to this of the *executive.*

And the same kind of argument may be used against the capacity of congress to transfer its *legislative* powers to the *legislative* functionaries of one of the states, or any other sovereignty; for the first section of the first article of the constitution having declared, that "*all legislative powers herein granted,* shall be vested in a congress of the United States, which shall consist of a senate and house of representatives," congress can have no more right to authorize the legislature of a state to *make laws* for the union than it has to authorize any state officer to exercise *judicial* functions, or to *execute the laws* of the general government; *for* and in the *name* of the United States.

The denying to congress the right to invest the justices of the peace of the states with power to execute the laws of the union has been considered as leading to consequences the most alarming; as likely to involve the nation in expences the most enormous; and, in addition to the patronage of the executive already too strong, as arming that branch with one, that will be altogether irresistible. It is asserted, that "without the aid of the ministerial officers of the states, to have the laws of the United states effectually executed against a few offenders, (probably not one hundred in a year in all the states,) it would be necessary to appoint and scatter over the vast territory *many thousand* of justices of the peace, coroners, constables, &c. *The atempt to execute the power, would be as impracticable as it would be ridiculous.*" There appears to be no reason to doubt the sincerity of such an assertion In reply to a fancy so buoiant it would, however, be altogether idle to offer any thing like fact, calculation or argument.—Yet one cannot, but wish, that the patriotic mind may somewhere find relief, from the terrible forbodings with which such melancholy flights are too apt to fill it.

I have always been a decided advocate for confining the powers of the general government strictly within the limits assigned to them. The federal government was, most certainly and obviously intended to be a system complete within itself, and in all its parts. Its power in all respects, those over the militia excepted, where it acts not from itself, but by the instrumentality of the states, are amply commensurate to all its objects. But in order, that its benefits should be fully understood and felt, it should be completely organized in each of its branches, in its judicial, no less than in its executive, its senate and house of representatives. Strange however as it may seem, it is nevertheless true, that although this government was formed for the express purpose of relieving the nation from all reliance on the governments of the states, and from the necessity of resorting to their agency in any cases whatever, yet the judicial power of the union has hitherto been but partially organized and the judiciaries of the states have, of choice, been used as the only instruments for executing a great portion of the laws of the nation. It is believed, that here is no position of which the history of these states will furnish more ample, conclusive, and unanswerable proofs, than that "the necessary dependence, practically, of the general government on the states, in many particulars, is one of the points in which its weakness has been most obvious and most lamented."

We are not without the most impressive examples of how much may be effected by *mere precedent,* whether of the use, the abuse, or the absolute neglect* of the provisions of a constitution. If, however, example and precedent have exhibited in a strong point of view the uses of our constitution; that it is capable of a simplicity, and facility of operation far superior to what was expected; that it possesses energies commensurate to the most perilous seasons, and excellencies infinitely superior to any form of government ever before known; if the experimental development of its perfections has drawn about it the attachment and warmest affections of the people; the sacred and unerring oracles of experience have also exhibited some of its weaknesses and failings, in a very melancholy point of view. They prove, incontestibly, that however the *influence* of the general government may require to be constantly watched in some respects, to prevent our inestimable institutions from falling into an inevitable and slow decay, yet that in its *conflicts* with those of the states immediate and general dissolution and ruin present themselves, as certain and unavoidable. Experience has shewn, that in those cases where the general government had the means, and could, and did resort to the same methods of executing the powers, with which it was invested, that are possessed and exercised by the governments of the several states, the opposition from disorderly, refractory and seditious individuals was easily overcome, and harmony soon restored; but where a *conflict* arose between the government of the union and a state, the powers of the nation were paralized, the subversion of the whole was threatened, and there seemed to be only the awful alternative left of "substituting *violence* in the place of *law,* or the destructive *coercion* of the *sword* in the place of the mild and salutary *coercion* of the *magistracy.*" Since precedent and example are so powerful in developing and expounding, in fortifying and undermining written constitutions, and in establishing unwritten ones, they should be recollected and looked into with the most careful attention.

A frequent recurrence to first principles, also, is recommended by some of the most sage political writers, and has been adopted as a fundamental axiom by some of the constitutions of the states. To rely on state officers, who are no way responsible to the general government, for the execution of the laws of the United States would be a departure from the first principles of the national constitution; and "would be, as has been said, to restore the theory, principles and practice of the old articles of confederation; the evils of which,

*By the constitution of Virginia the executive is required to appoint a *secretary;* yet no such officer has existed in that state since the death of the one in office at the formation of the constitution which happened during the revolution.

in this respect, particularly, among many others, this constitution was intended to remove." The evils here alluded to seem to have been, in a great part, forgotten, or to be now considered as merely imaginary. It will be well, therefore, to recur to the actual history of our country and enumerate some of them. This enumeration I shall extract literally from the papers called the Federalist, where they may be found very perspicuously displayed and ably elucidated.

"The great and radical vice, says the Federalist, in the construction of the existing confederation, is in the principle of *legislation* for *state governments*, in their *corporate* or *collective capacities*, and as contradistinguished from the *individuals* of whom they consist. Though this principle does not run through all the powers delegated to the union; yet it pervades and governs those on which the efficacy of the rest depends. There is an essential difference between a mere *non-compliance* and a *direct* and *active resistance*. If the interposition of the state legislature be necessary to give effect to a measure of the union, they have only *not to act*, or *to act evasively*, and the measure is defeated. This neglect of duty may be disguised under affected but unsubstantial provisions, so as not to appear, and, of course, not to excite any alarm in the people for the safety of the constitution. The state leaders may even make a merit of their surreptitious invasions of it, on the ground of some temporary convenience, exemption or advantage."

"The next most palpable defect of the existing confederation, is the total want of a *sanction* to its laws. The United States, as now composed, have no power to exact obedience, or to punish disobedience to their resolutions, either by pecuniary mulcts, by a suspension or divestiture of privileges, or by any other constitutional means. There is no express delegation of authority to them to use force against delinquent members. The want of such a right involves, no doubt, a striking absurdity. The United States afford the extraordinary spectacle of a government destitute, even of the shadow, of constitutional power to enforce the execution of its own laws."

"The principle of regulating the contributions of the states to the common treasury, by *quotas*, is another fundamental error in the confederation. Its repugnancy to an adequate supply of the national exigencies has already been pointed out, and has sufficiently appeared from the trial which has been made of it. I speak of it now solely with a view to equality among the states. Those who have been accustomed to contemplate the circumstances, which produce and constitute national wealth, must be satisfied that there is no common standard or barometer by which the degrees of it can be ascertained."

"In addition to the defects of the existing federal system, before enumerated, the want of a power to regulate commerce, is, by all parties, allowed to be of the number. It is indeed evident, on the most superficial view, that there is no object, either as it respects the interests of trade or finance, that more strongly demands a federal superintendance."

"The power of raising armies, by the most obvious construction of the articles of the confederation, is merely a power of making requisitions upon the states for quotas of men. This practice, in the course of the late war, was found replete with obstructions to a vigorous, and to an economical system of defence. It gave birth to a competition between the states, which created a kind of auction for men. In order to furnish the quotas required of them they outbid each other, till bounties grew to an enormous and insupportable size. The hope of a still further increase, afforded an inducement to those who were disposed to serve to procrastinate their enlistment; and disinclined them from engaging for any considerable periods. Hence slow and scanty levies of men, in the most critical emergencies of our affairs—short enlistments at an unparalleled expence—continual fluctuation in the troops, ruinous to their discipline, and subjecting the public safety frequently to the perilous crisis of a disbanded army. Hence, also, those oppressive expedients for raising men, which were upon several occasions practised, and which nothing but the enthusiasm of liberty would have induced the people to endure."

"A circumstance, which crowns the defects of the confederation, remains yet to be mentioned. The want of a *judiciary power*—Laws are a dead letter, without courts to expound and define their true meaning and operation. The treaties of the United States, to have any force at all, must be considered as part of the law of the land. Their true import, as far as respects individuals, must, like all other laws be ascertained by judicial determinations—To produce uniformity in these determinations, they ought to be submitted in the last resort, to one *supreme tribunal*—And this tribunal ought to be instituted under the same authority, which forms the treaties themselves. These ingredients are both indispensable."

"The result of these observations to an intelligent mind must be clearly this, that if it be possible at any rate to construct a federal government capable of regulating the common concerns, and preserving the general tranquility, it must be founded, as to the objects committed to its care, upon the reverse of the principles contended for by the opponents of the proposed constitution. It must carry its agency to the persons of the citizens. It must stand in need of no intermediate legislations; but must itself be empowered to employ the arm of the ordinary magistrate to execute its own resolutions *The majesty of the national authority must be manifested through the medium of the courts of justice. The government of the union, like that of each state, must be able to address itself immediately to the hopes and fears of individuals; and to attract to its support, those passions, which have the strongest influence upon the human heart. It must, in short, possess all the means and have a right to resort to all the methods, of executing the powers with which it is intrusted, that are possessed and exercised by the governments of the particular states.*"

From the first moment the American people took up arms against the despotic encroachments upon their rights by the British king, there was but one common opinion among them as to the importance, utility and necessity of union. The war of the revolution not only suggested a union to the states, its nature and exigencies actually effected a complete one, in fact, long before its principles were reduced to certainty by a solemn compact.—The nature and extent of the powers, which were thus tacitly, and from necessity vested in congress, have been several times elaborately discussed before judges who had been themselves active and distinguished agents in the establishment of American liberty and it has been uniformly held, that the power of congress antecedent to the articles of confederation, which was sent to the states for ratification on the 17th November, 1777, and finally acceded to by Maryland on the 1st of March, 1781, must necessarily be supposed to have been co-extensive with the great objects which America then had

in view, and that the articles of confederation must be considered as the specification, affirmation or confirmation of those pre-existing powers—2. *Dall.* 160—3. *Dall.* 54.

That the government of the union should have exclusively the powers of peace and war, the regulation of all foreign relations and common concerns, and also the power to repel and to punish offences and crimes against the nation was agreed on all hands; but whether those powers should be exercised by a government acting *as a confederation* upon state governments, or *as a consolidated government* acting upon individuals, was a question which the rivalship, or the just jealousies, of the states would not, until some time after the revolution, allow to be as fully understood as it really merited. Experience of the evils, that have been just enumerated, has, however, determined in favor of the latter, and the result has been the adoption of the present constitution. I shall now close these observations upon this important question with exhibiting some few instances, which as incontestibly prove the necessity of *a completely organized national judiciary*, as contemplated by the present constitution, invested with powers co-extensive with the jurisdiction of the general government, as that of any other provision of that instrument by which the government of the union is enabled to act as an independent consolidated sovereignty.

By the first section of the ninth article of confederation, which has been considered as a mere affirmance of the pre-existing, tacitly conceded powers of congress, it is provided, that "the U States, in congress assembled, shall have the sole and exclusive right and power, of *establishing rules for deciding in all cases*, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated; of granting letters of marque and reprisal in times of peace; appointing courts for the trial of piracies and felonies committed on the high seas; and establishing courts for receiving and determining finally appeals in all cases of captures; provided that no member of congress shall be appointed a judge of the said courts." By this article, it will be seen, that congress were invested with the power to establish but one kind of tribunals, and those courts of appeals merely. They had the right to lay down rules of judicature for the government of all tribunals, those of the states as well as their own, in all cases of prizes, or as it is expressed, "*of establishing rules for deciding in all cases what captures on land or water shall be legal*," &c. But all the judicial powers of congress and the nation were *to be executed through the medium, instrumentality, and agency of tribunals established by, and responsible only to the several states.*

Congress recommended, and the states did organize such tribunals, as recommended, for the trial of all cases of admiralty and maritime jurisdiction. But some of the states chose to provide for the trial of matters of fact by jury *in all such cases*. On appeals from courts, so organized, in Rhode Island and in Pennsylvania, the congressional court of appeals reversed the judgments of the state courts *founded on a verdict;* thus disregarding the legislative provision of those states relative to the trial by jury in such cases; and remanded the cases with orders to proceed to final judgment and execution as directed. The state courts refused to obey, so as to become the instruments of overruling a legislative act of their own states. The court of appeals issued an injunction. The state courts still refused obedience. The national court threatened them, and laid an account of their refractory conduct before congress. Congress adopted some *spirited* resolutions and concluded by inviting the states to a conference on the subject of the contumacious conduct of their courts. The states supported their tribunals and totally disregarded the resolutions of congress, which "contained a course of reasoning so cojent and conclusive," and also their invitation to a conference. Thus the laws and powers of the union, *for the want of a judiciary of its own*, by which it could act immediately upon the individual, was entirely prostrated; and, actually, in these cases, remained in that degraded situation until it was uplifted and executed by the just and superior energy of the judicial establishment of the present constitution. *Penhallow vrs. Doane.* 3 *Dall.* 54. *The case of the sloop Active, or Olmstead's case.*

The prosecution, conviction, and fine imposed on captain Elijah Boardman for causing drums to be beat through the public streets of the city of Hartford in Connecticut while on the recruiting service in time of war, in the summer of 1814, 11 *Niles' W. R.* 299, 8 *Niles' W. R.* 45, and the opinions of the judges of Massachusetts justifying the ridiculous, perverse, and pernicious conduct of governor Strong respecting the militia of that state, *Brack. L. M.* 390. 7 *Niles' W. R.* 148—8 *Niles' W. R.* 204, shews how little reliance ought to be placed on the agency of state officers for the execution of the laws of the union in seasons of great emergency; and how dangerous it is, in any case to return to the policy of the old articles of confederation, either of a legislative, a judicial, or an executive nature. But it is not merely in the selection of the state, or the influence it may have over its officers, which in such cases, will produce the neglect of the interests, or the disobedience of the calls of the union—The state itself may, and in some cases, has interposed its authority and forbidden even a willing officer from undertaking the task of executing the laws of the general government.

During the late war, Massachusetts, in order to check the national government in its determination to retaliate the threatened barbarities of the enemy, for the victories over whom, the pious legislature of that state declared it unbecoming a moral and religious people to rejoice, "authorized and required the keepers of the gaols of that state to discharge all prisoners of war committed under the authority of the United States,"—5. *Niles' W. R.* 381—6. *Niles' W. R.* 4.

And some time in the spring of 1799, captain Truxton of the Constellation frigate, sent to Dr. J. K. Read, one of the aldermen of the borough of Norfolk in Virginia, a man, whom *he* said acknowledged himself one of the mutineers on board the Hermione, a British frigate; the man was committed to jail, subject to the order of the British consul, by him taken out, sent to Jamaica, and there executed.

This subject was communicated to the legislature of Virginia by Mr. Monroe, now president of the United States, then governor of that state, on the 1st December 1800 in a message as follows: "Sometime in April last, says he, I was advised by a respectable citizen of Norfolk, that a magistrate of that borough had received from the captain of the Constellation, a frigate of the United States, a person said to be one of the mutineers on board his Britannic majesty's ship the Hermione; that he committed the said person to jail, with an order to

the jailor to surrender him to the British consul, on his application; that he was surrendered accordingly to the said consul, who sent him to a British island where he was executed. A conduct so extraordinary as that alledged, could not otherwise than excite the astonishment of the executive. Every man within the jurisdiction of the state, is, under certain exceptions, amenable to its laws and entitled to its protection. If he commits an offence against the sovereignty, or other rights of the United States, he is amenable to their government and laws for the infraction. But the act which was denounced did not appear to proceed from, or be sanctioned by the authority of that government. *To designate a man within the jurisdiction of a state as one not entitled to its protection, or that of the United States, to divest him of such protection, and surrender him to a foreign power, to be sent abroad, tried, condemned and executed, by the sentence of a foreign tribunal, are important acts of sovereignty, in which the character and agency of the chief public functionaries should be seen, and for which they are highly responsible. But nothing of that kind appeared in the present instance.* No respectful, though strict analysis, by the compe ent authority, of the respective claims to jurisdiction between the state and the United States, with respect to the fugitive who sought an asylum here; no circumspect examination of treaties between the United States and a foreign power, which ought to precede an act derogating in some respects from the national sovereignty, were heard of *The magistrate who acted was not even an officer of the federal government, but of this state, in which light, he was in a peculiar degree responsible to its authority. The act was strictly that of the magistrate himself.* As, however, this communication compromitted the character of a consul of a foreign power, and an officer of the United States, as well as that of a magistrate of this commonwealth, the executive was careful to observe in the part it took, the utmost deference to the rights of those who were to be affected by it." *National Intelligencer* 15 *Dec.* 1800—*and* 9*th Jan.* 1801.

This case, it will be recollected, is strongly analogous, though not altogether similar to that of Jonathan Robbins, about which so much was said both in and out of Congress. It is not, however, adduced to revive the recollection of the principles discussed in Robbins' case; but to bring into view that very particular in which they chiefly differ. Robbins was delivered over by an order of one of the Judges of the United States; in this case the man was delivered over by a magistrate of a state. In the one case "the character and agency of the chief public functionaries of the nation were seen, and for which they are highly responsible. But nothing of that kind appeared in the present instance." And from the expressions of the Governor, that, "*the magistrate who acted was not even an officer of the federal government, but of this state, in which light, he was in a peculiar degree responsible to its authority. The act was strictly that of the magistrate himself;*"—it is very strongly intimated as his opinion, that the judicial officer of the state had no authority to expound or to execute the laws of the United States in any case civil or criminal. But whatever might have been his opinion, there can be no doubt about that of the Legislature of Virginia upon this point; for, in consequence of this communication, on the 21st of January 1801, they passed the following law forbidding their magistrates from exercising a similar authority in future.

It was enacted "that any person who shall hereafter, of his own free will and accord, or by the persuasion of, or combination with any foreign agent, or any other person, being an alien, or a citizen of this commonwealth, or of any other of the United States, deliver up or surrender, or cause to be delivered up or surrendered, *either by his own authority, or under colour of any office whatever, held, or claimed to be held, under the authority of this commonwealth,* any citizen of this commonweal.h, and entitled to the protection of the laws thereof, during his residence therein, to be transported beyond sea, or elsewhere without the Uni'ed States, shall on conviction of every such offence," be sentenced to the peni entiary for a term not less than one, nor more than ten years—and by the second section it is enacted, that if the person transported shall be *executed,* then the person by whom he was delivered over shall be deemed a felon and on conviction *suffer death.*

This great question as to the right of Congress to invest state officers with a portion of the judicial power of the union was once agitated in Congress; and, as it would seem, rather waved than decided in any way—what was then said upon the subject may be found in the National Intelligencer from the 5th to the 19th January 1801.

As to the necessity of scattering over the vast territory of the United States "many thousands of justices of the peace, coroners, constables," &c. I will make a few remarks before I close—I deem it the constitutional *right and duty* of Congress to increase the number of judicial and executive officers so as to make the judiciary of the United States, in all respects, co-extensive with its jurisdiction—And, thus to complete the organization of the national judiciary, I deem it essentially necessary, as the cheapest, safest, and surest means of preventing those angry and ruinous collisions between the governments of the union and the states, which will inevitably increase in number and frequency with the increase and condensation of the population of the nation—The necessity for the great multiplicity of justices of peace in the states, is evidently occasioned by the number and variety of petty municipal regulations, which they are required, daily and even hourly, to execute; but the jurisdiction of the United States is neither so various nor multifarious; it is confined chiefly to foreign affairs. It would, therefore, be sufficien', that such inferior judicial officers should be placed most convenient to where such cases were most likely to arise. No state would perhaps require a greater number of judicial officers in proportion to its population than Maryland. Let us then suppose two United States justices stationed in Baltimore, and one in each of the other counties of the state, except that in which the district judge resided, *in all but nineteen*—More would not, I am sure, in the opinion of any one, be necessary. As to the expence; the justices of Maryland receive neither fee nor salary in criminal cases, and but small fees in civil matters. I do not see why respectable citizens might not be found willing to act as justices of the union upon the same terms. The utility, or rather indispensable necessity for magistrates, invested with jurisdiction both civil and criminal in small matters which arise within the Forts and other places, where the authority of the United States is *exclusive,* is obvious and altogether unanswerable; for if there are such things as political axioms, the propriety of the *judicial* power of a government being co-extensive with its *legislative,* may be ranked among the

number. In such a salutary extension of the judiciary of the nation, I see nothing monstrous or terrifying, either as to patronage or expenditure.

Upon the whole, it does appear to me, that the Congress cannot, constitutionally, confer any portion of the legislative, judicial, or executive power of the union on any of the public functionaries of the states, either to declare, to expound, or to enforce the laws of the nation; and, that, if Congress were even allowed to do so, yet as it might, in a time of the greatest peril, under the influence or authority of the state, be neglected, disobeyed or prohibited, the execution of such power, could not, nor ought not to be relied on; because, the agent would be wholly irresponsible, and both in the neglect and the execution the most provoking and dangerous collisions might be excited between the government of the union and those of the states. THEODORICK BLAND.

Baltimore 25th July, 1817.

Though the editor has not immediately suffered by the late freshet, some account of which is given below, it has, in many ways, tended to derange the business of the REGISTER for the week, and prevented the desired attention to several things—not neglected, but of necessity delayed.

The late Freshet at Baltimore.

It is no easy matter to sit down quietly and give a tranquil account of the scenes through which we have past; for the mind is yet continually diverted from the cool regularity of narrative by some particular incident that excited feeling, on the awful occasion.

On Friday night, the 8th inst. the rain descended with exceeding violence—it was almost an incessant and increasing torrent, or deluge of water, until about 1 o'clock, P. M. on Saturday. By this time, Jones' Falls, or Jones' Creek, which runs through the city of Baltimore, and divides that part familiarly called "Old Town" from the rest, had swelled to great height. This stream is about 14 miles long, with a very rapid descent; passes through a hilly country, and affords, perhaps, more mill seats than almost any one of its length in the United States, nearly all of which are very highly improved. In general, it may be any where forded without reaching above a horse's knee, and within the built parts of the city is confined by stone walls, built on piles, by houses on its banks, or wharfed, to a space of 60 feet wide, above Market-street bridge, but of some greater width below to the basin. At 1 o'clock, the wooden-bridge, at Centre-street, (the highest on the stream within the newly extended city limits) was lifted from its abutments and happily deposited in a garden below. Many of the mill-dams above, had, by this time, been swept away, and their accumulated waters were added to the torrent. The next bridge, at Bath-street, also of wood, shared the fate of the former, but passed, in an undivided body, down the stream and lodged against the stone bridge at Gay-street. Here it instantly collected an immense mass of floating timber, parts of houses, &c. and formed a complete dam. The water then spread over the low grounds west of the Falls, and impetuously passed down Fish-street to Harrison and Frederick-streets; that part of the city called the "Meadow" being overflowed to the depth of 10 to 15 feet. The greatest force of the torrent in this part fell against the brick-houses near the intersection of the south side of Gay with Frederick and Harrison-streets, and especially in the latter, where some frame buildings were in a moment swept off, and those of brick hardly resisted the force of the stream, their foundations being near rooted up. Harrison is a very wide street, extending northwardly from what is called the "market-space," or place where the principal market house of the city is located, and afforded vent for an immense quantity of water, in many places more than six feet deep, and of such power at the head of the market-house as to render it unsafe for man or horse to cross it—though, except for about half an hour, when the flood was at its greatest height, it was forded by carts loaded with people—but a coach, in attempting it, was swept off and lodged against the posts at the market, the horses very narrowly escaping.—Market-street bridge, built of stone, and not being dammed as that at Gay-street was, and protected by the diversion that the damming of the latter caused, stood the current, which passed under it with the rapidity of an arrow, awfully sublime. Before this, the two light foot-bridges, between Market and George street (or Peters') bridges, had given way—and George-street bridge, of wood, old and designed to have been speedily supplied by one of stone, soon shared the same fate; it lodged, crosswise, against the stone bridge at Pratt-street, and soon formed another complete dam. The water then took an additional rise, but rather momentary, of about three feet in less than three quarters of a minute, and a large quantity of property, until yet but partially injured, was sacrificed. This was the lowest bridge on the Falls, and the water, after passing it, spread over the low grounds in its course to the basin, and did but little comparative damage. Of all the bridges on the Falls, that at Market-street only is uninjured.—Those at Gay and Pratt-streets are so much injured that they can only be passed on foot in safety, and will require to be rebuilt—one arch, at least, of each.

It is utterly impossible to embody on paper the scene that this deluge presented. Houses, horses, cattle, with many swine—carts, drays and other carriages, with, perhaps, thousands of cords of wood, and immense quantities of heavy timber of all sorts and descriptions, and some entire trees, with a multitude of articles of household furniture and mechanical industry, hogsheads and barrels of whiskey, flour, &c. &c. and, on two or three occasions, *human beings*, were seen mingled in tremendous confusion, dashing against each other, and impelled with irresistable force! Women and children, in the upper stories of their houses, were sending forth their shrieks, and calling for assistance from their frail fellow men, gallantly risking their lives to rescue them, but without much success until after the flood was at its greatest height, which was at about 3 o'clock. When we recollect the awful force of the water, and measure the depth that it had, we are humbled with a sense of gratitude that so few persons were lost—not yet ascertained, but, probably, not exceeding six in the whole. The compactness of the houses, though it raised the water, broke the power of the current and protected them; else, as at Br. White's late extensive distillery, which first met its force, every feeble building must have been swept away, and with them their inhabitants. It is a blessing, indeed that it did not come upon us in the "night season." To the loss of property we should have had to add that of hundreds of lives; for it came on so suddenly that many who slept on the first floor of their houses must have drowned in their beds; and others, in attempting to save them, not seeing the danger, would have perished!

It is impossible to go into a detail of individual losses. The city corporation has sustained a damage of from 80 to 100,000 dollars—the works of the water company are extensively injured—the entire loss, within the city, may, perhaps, amount to a million and a half of dollars. But this is, and must be, chiefly a "guess."

The mayor of the city, George Stiles, esq. has displayed all the energy and promptitude for which his character has so long been remarkable, to reduce the extent of our calamity; in which he has been faithfully supported by the rest of the city officers and others. It has added to our misfortune, that he was only just recovering from a sickness that made us despair of his life—but, though his body is weak, his mind has all the activity so happily adapted to meet an occasion like the present. The commander of Fort *McHenry*, (at the time Major Hall,) at his request, instantly stopped the passage of all boats and vessels, until they were examined; for there were wretches enough ready to prey upon the misfortunes of the people, and make lawful prize of whiskey and other liquors, flour, and the many other valuable things that were brought down the Falls. Immediate measures were also taken to clear the bed of the stream, and collect the fragments of property for the right owners; and to relieve the streets of the mud that had been deposited in them, (in some places two feet deep,) repair the shattered pavements, &c. One wonders when he sees what has been done in so short a time, and we cannot but feel grateful for the wisdom and energy of the measures every were pursued to lessen the calamity, and prevent any effects it might have on the health of the city, at a season so liable to disease.

We may, perhaps, hereafter, in cooler moments, when the acuteness of feeling for the sufferings of others is a little blunted by time, and the ravages of the flood are less hideous than they are now, give a more detailed account of this visitation; which has also swept away, or virtually destroyed, the several stone bridges on Hartford Run, which serves as a natural drain for the more eastern and yet not much built upon part of the city. But that a better idea of the freshet may be had at a distance and to serve for future reference at home, we have, with line and rule, ascertained what was the depth of the water at the several places as mentioned below; premising that the excess water of the Falls passed through one of the thickest built parts of the city, for the distance of almost half a mile.

The height of the Falls above their ordinary level, depended so much on accidental circumstances, that it is impossible to fix a medium. Opposite the jail, it was about 24 feet, being confined between high grounds; just above Gay street bridge, having found a passage through Fish street, &c. it was 16 feet, 2 inches; adjacent to (above) Market street bridge, 10 feet, 7 inches; adjacent (and below) that bridge, 10 feet 3 inches; immediately above Pratt street bridge, 10 to 11 feet. These are the points at about which the water seems to have stood for a considerable time—the damming of it at Gay street, and Pratt street, gave it a sudden rise of a greater denomination; but it forced its way through the houses, streets, &c. and sought its level by more widely extending its surface. Before sundown nearly all the streets were drained of their water.

STATIONARY HEIGHT OF THE WATER,

During the Freshet at Baltimore, on Saturday the 9th of August, 1817, as carefully ascertained and measured by the Editor of the WEEKLY REGISTER; *the distance, in all cases,* (where not otherwise expressed) *taken from the* foot pavement *immediately adjacent to the point mentioned.*

	ft.	in.
Market-Space and Harrison street, &c.		
At the S. W. corner of Market space and Water street [J. West's]	1	6
——— S. E. do. [J. Armstrong's]	2	3
——— N. W do. and Second street, [S. Legrand's]	3	10
——— opposite—[head of the Fish market]	4	7½
——— S W. corner of Market space and Market street [J. Sterling's]	3	4
——— N. E. do. do. [W. Ross']	3	7
In Harrison street—side nearest the Falls, (average)*	6	4
——————— furthest from the Falls, (average)*	4	9
——————— at the intersection with Gay street, W. side,	4	5
——————— E. side,†	3	7
Gay street, &c.		
Gay street, opposite Fish street	5	9
North side of Gay, opposite the above [at W Lovell's]	5	7
E. corner of Gay and Fish streets	6	3
Upper corner of Gay and Frederick streets	4	0
Fish street, &c. average from Gay to Holiday streets	7	7
Holiday street.		
Average depth from Fish street to Finn's corner	7	5
Depth at Finn's corner	8	0
——— bath house, rear of the above (front)	11	6
At the Museum, [above the lower floor]	2	8
Calvert street.		
At the front building of the Pavillion Gardens, above the floor,	4	7
Above the floor of the "Temple" in ditto,	8	2
——— the foot pavement in front of the City Spring	2	1
Concord street.		
W. Camp's upper ware house	3	6
S. E corner of Concord and Water streets [bake house]	4	2
S. W. corner Concord street and Fish market space [G. W. Miller's]	6	2
North east pier of the Fish market	5	7
In the rear of Concord street, next the Falls 5f. 0in. to	5	6

☞ The real height of the water in the *streets* may be determined by adding a general average of about a foot to the above, for the elevation of the foot pavements, adjoining the houses.

There is much doubt and considerable dispute, whether the late freshet was so great as that suffered 32 years ago. We, of ourselves, know nothing of the latter; but from all that we hear, are inclined to believe that a greater quantity of water came down then than on Saturday last; but that this freshet was higher in several places (owing to the encroachments upon the water course and other obstructions of the stream) by 3½ or 4 feet than the former—but, possibly, lower in others, more *immediately* on the banks of the Falls. It is hardly practicable to fix an average gauge for water rushing forward with such rapidity, and meeting with so

*About middle distance between Market and Gay streets.

†Here a great gulph was made, and a passage forced to the Falls.

many partial causes to raise or lower it, as must be the case in the built part of a city.

☞We have calamitous accounts from all the neighboring country of houses, mills and mill-dams, &c. swept away. Eight persons lost their lives and 16 houses were destroyed by the rising of the Cadorus, at York, Pa. On the Great and Little Gunpowder Falls, Jones' Falls, Gwinn's Falls, Patapsco Falls, &c &c. hardly a single bridge remains—and those on most of the streams between Baltimore and York have gone. At Washington city, Occoquon, &c. the flood fell in great force. Some of the turnpike and other roads are so washed in places as to be almost impassable. But we are sick with the distressful detail, and, at least, must defer any thing further of it.

Dupont de Nemours.

"Dupont de Nemours "clarum et venerabile nome," is no more.——He has just paid the great debt of nature in a strange land, but happily died in the arms of his children and grand children, and in the possession of every domestic blessing that could contribute to make the transit easy. The editor well remembers the venerable deceased; having seen him very frequently during his first visit to the United States:—his figure and manners were those of a sage, with "BENEFICENCE" more legibly stamped in his countenance than on that of any other man we ever saw. There was a child-like harmlessness in his deportment, with something so dignified and imposing, that it was not easy to behold him without a mixed and most pleasant feeling of familiarity and respect. Philosophy had triumphed over the passions that agitate and influence men. His cheerfulness was as different from boisterous mirth, as the tranquility of his mind from monkish austerity. The grave of the gay—old age and youth—the most learned and the least wise, was equally interested by his conversation and demeanor; bearing irresistable evidence of the strength of his talents and the goodness of his heart.

It is not customary with us to insert long obituary notices in the WEEKLY REGISTER, except of our own distinguished citizens. But the name of Mr. *Dupont* is so intimately connected with so many of the great events that have happened in Europe for so many years past, as, in our opinion, to justify an exception to a general rule, by giving place to the following, communicated for this work.

Died at the Eleutherian Mills, on the Brandywine, near Wilmington, in the State of Delaware, on the 6th inst. and in the 78th year of his age, *Peter Samuel Du Pont de Nemours*, member of the Institute of France, Counsellor of State, and Knight of the order of Vasa, of the legion of honor and of the order du Lys.

This excellent man whose loss will be most sensibly felt by all that knew him, was one of those rare individuals whose natural virtues and mental acquirements shed a lustre upon humanity, and render them models for future generations.

Born with a strength of mind, an elevated courage and an indefatigable spirit of benevolence worthy of the best days of antiquity, he devoted his life to the service of his country and of mankind. So pure was his patrotism and so disinterested his motives, that his time, his health and his talents were continually engaged in the prosecution of these great ends, as regardless of the opportunities of improving his fortune, as of personal aggrandizement, which his eminent political employments presented to him.

In the course of a long life, spent in public stations, his incorruptible integrity shone conspicuous. Conversant with courts, and daily mixing in the affairs of the world, his character retained to the last its original warmth of feeling and simplicity; a trait as rare as it is extraordinary—which always led him to regard events in the most favorable light, and to repose a faith in mankind seldom to be found but in the unsuspicious, confiding temper of youth. To this primitive and benevolent cast of mind is to be attributed that kindness of heart, and constant playful cheerfulness, which accompanied him to the last moment of his life, and gave an endearing charm to the affection with which he was regarded by his friends.

In the year 1773, the principles of philosophy and political economy displayed in one of his publications, "*Les Ephemerides du citoyen*," being obnoxious to the French minister, the Duke de Choiseuil, he was obliged to leave France. Several foreign princes, then distinguished by the liberality of their sentiments, offered him an asylum. The Margrave of Baden, appointed him his *Conseiller intime et aulique de legation;* Leopold, of Tuscany, and Joseph II. corresponded with him; Gustavius III. of Sweden decorated him with the order of Vasa; and the king of Poland, Stanislaus Augustus, appointed him his director of the national education. This last situation, which presented the most advantageous prospects to himself and family, he relinquished, to accept an inferior station in the service of his native country, at the invitation of his intimate friend, the great and good Turgot, who was then appointed minister of finance by Louis the 16th.

In 1782 he was commissioned by M. de Vergennes to correspond with Dr. James Hutton, the confidential and secret agent of the king of Great Britain; and laid, with that gentleman, the basis of the peace of 1783, by which the independence of the United States was acknowledged.

He was many years inspector and commissary general of commerce and manufactures, and counsellor of state. In those different capacities he greatly contributed to extricate French industry from the shackles that had restrained it. In 1787 and 1788 he was appointed by the king, secretary of the assembly of notables; and in 1789, was elected a member of the first National Assembly, where he distinguished himself by his sound principles, his courage and his talents. He devoted himself to counteract the factions of the day, whose intrigues and plots disgraced the French revolution, and prostrated the hopes of those who wished to behold France regenerated and happy. He was twice elected president of that celebrated body, which combined in itself, as it were, the talents of the old world. His object was improvement without violence, and he opposed the abettors of anarchy with a courage and energy bordering upon temerity.

When a horrible tyranny stalked through France and levelled in its progress the great and the good, Mr. Dupont was persecuted and imprisoned, and, after several narrow escapes, his life was only preserved by the downfall of Robespierre. Subsequent to that event, and when the reign of terror had ceased, he was elected a member, and also president of the Council of Ancients. The Jacobins having succeeded in overturning the directory in Fructidor 1798, he left France and for the first time visited America.

In 1802 he returned to France, and when Bonaparte sacrificed the cause of freedom to his own personal ambition by causing himself to be nominated consul for life and then emperor, Dupont de Nemours remained steady to the principles which had guided his path through life, by abstaining from any participation in his government. But the confidence of his fellow citizens followed him into the recesses of private life and his appointments to the presidencies of the Bank Territoriale and of the Chamber of Commerce, and his election to numerous charitable institutions, of which he was an active and conspicuous member, mark the extent of that confidence and the sincerity of their regard.—On the fall of Napoleon, Dupont de Nemours was appointed secretary of the provisional government, which accepted the house of Bourbon, in the hope of thereby securing to France a free constitution and government.

Upon the return of Napoleon from Elba, he emigrated a second time to the United States, where his two sons had been naturalized many years before.

He has left in France, a wife highly distinguished by her eminent virtues, and in this country, a numerous posterity to lament his loss. To those who looked up to him not only as the best and kindest of parents but as a bright example for their imitation, it is a consolation to reflect that his last moments were spent in the midst of his children, and that his venerable relics repose among them in the land of freedom, which, next to his native country, was the object of his warmest affection.

His principles of religion were steady and profound; and it may be confidently hoped that he enjoys the immortal reward laid up in store for the just and good.

Foreign Articles.

ENGLAND, &c.

The financial committee of the house of commons has reported that there will be wanted for the service of the year 1817, over and above the products of all the taxes, &c. the sum of £15,312,288; and for that of the year 1818, nearly 13 millions, without calculating contingencies! A reduction of the interest payable on the national debt is hinted at.—*It must come to that, sooner or later.*

The effective strength of the British army at home and abroad, exclusive of artillery, formed a grand total of 166,865 men on the 15th of April.

The woolen goods exported from Great Britain in the year ending January 5, 1817, were valued at £8,405,486—of which, the value of £3,029,667 were sent to the *United States.*

A fleet is fitting out at Portsmouth, supposed to be destined for China, from the extensive purchases of tea made by the East India company.

Many complaints are made about the ingratitude of Ferdinand in respect to his regulations of the trade of the British to his American possessions—especially that which was carried on from Jamaica across the isthmus of *Panama.*

We have long details of riots in many places.—In several instances the people had armed themselves, especially at Nottingham. Reports were floating about the discovery of guns, pikes, &c.—All the lords lieutenants were ordered to repair to their several counties, "to be ready for any emergency."

The south of Ireland is in a great ferment, on the apprehension of a scarcity. Martial law would probably rule the country.

The duke of York's late "dear angel," Mary Ann Clarke, still attracts attention. But her trade of selling benefices in the *church* and commissions in the *army*, is at an end.

A new bridge over the Thames, called the "Waterloo Bridge," was opened for passengers with great ceremony on the 18th of June, the anniversary of the battle. The prince regent headed the procession *on foot*, [this is important, as informing us that he can walk!] with the duke of York on his right, and the duke of Wellington on his left—202 guns, the number taken by the British, as they say, at that battle, were fired on the occasion, &c. &c. The bridge is a noble edifice. It is 1242 feet within the abutments, and has nine arches—total length, including the road on each side, supported by other arches, 2890 feet; width, within the balustrades, 42 feet. It is built of granite. The piers are built upon piles—320 to each pier, of the diameter of 13 inches, and 19 to 22 feet long—one pile to every yard square.

A London paper says something about "the real lovers of the *constitution.*" We should like to see a copy of it, and learn how its principles are applied.

From the 1st of April to the 17th of June, 275,000 barrels of flour were received in England from the United States.

The British ports are opened to all nations for the import of bread-stuffs, in any ship or vessel, until the 14th of November next.

Am. flour at Liverpool, June 17, 79*s* per bbl. at Cork, 85*s*

Watson and the rest of the state prisoners have been acquitted. His trial closed on the 15th of June. Lord Ellenborough was five hours in delivering his charge to the jury, and, being exhausted, was assisted by judge Abbott. The jury after being out a short time, returned with a verdict of "not guilty." Great huzzaings followed in the hall of the court. The populace took the horses from the carriage in which Watson left the court, and drew it through several streets; after which they retired in good order.

The other prisoners, viz. Thistlewood, Hooper, and Preston, were arraigned and acquitted, no evidence being offered by the attorney general in support of the indictment.

The expenses incurred by the government in the trial of Dr. Watson and his accomplices are said to amount to several thousand pounds. Many arrests for high treason are still made.

Edward Rushton, one of the purest and ablest advocates for freedom that England boasted of, is deceased.

British law.—From a London paper of June 7—"The Tunisian cruizers, just released, *are ordered not to appear again in these waters, under pain of condemnation.* Their prizes are ordered to be restored, on paying salvages." [What would the British say if this rule were applied to them? Who does not recollect that our very *harbors* were blockaded by British vessels, at times, for several years before the late war—that they fired upon our coasters, and killed some of our people, &c. The case of the Tunisian vessels, therefore, deserves a special record. But certainly, the British never will again blockade us *in time of peace!* The day of such things has gone by.]

FRANCE.

Much of the French papers is occupied with telling *as how* the king went to mass, and *how* the king came from mass. Events like these are the only things on which they speak *freely.*

There is also much said in the French papers about

an intended "procession of the holy sacrament" which is to be attended by the princes and princesses.

The British papers say much about the *French* settlement that is to be formed in the Mississippi territory—which, we think, probably, may be very extensive.

A letter from France, which bears claims to our respect, says—"Our fine country is at present *devoted* to the great *principles* of *legitimacy*, and in such a miserable situation, that very little can be spared from mere existence, while France at the same time labors under the greatest scarcity; thousands and thousands are forced to eat grass and roots procured by digging the fields and woods; women and children are found dead, from want of food; such is our miserable situation, and Switzerland and Savoy are not better."

The grain harvest promised to be very abundant. American flour at Havre, 90 francs per bbl.

There have been many riots in France for want of bread. But the people were quieted by the *legitimate* argument of the bayonet. In one of them near Lyons, several hundred people are said to have been killed.

It is ordered that no Frenchman above 15 years of age shall travel out of the immediate neighborhood of his domicil without a passport, and that no one shall leave the kingdom without one.

Condemnation of persons engaged in "commotions," are frequent in France. The country is far from being tranquil, but the papers give few details of what is going on.

The king of France being apprised that *sixty* or *seventy* persons in Isere had been wounded by a *mad wolf*, was pleased to forward 1000 francs for the relief—averaging *three* dollars for each. "The generous care thus evinced by the king, the generosity which he feels towards his subjects, must endear him to every good Frenchman," says the French paper.

ITALY.

Prince Eugene Beauharnois has sold his Italian principality to the king of Naples, for the sum of five millions of francs.

The pope is said to have recovered from his illness. The prince regent of England's wife has arrived at Rome.

GERMANY, &c.

The number of persons who have emigrated from Baden this year, is said to be 20,000; of whom about 2000 have gone to Poland, and the remainder to North America. [They have not yet arrived.]

The king and queen narrowly escaped drowning at their country seat near Stutgard, by the overflowing of the Neckar. The water rushed into the house with such violence as to tear up the pavements in the hall. The queen made her escape out of the window by means of a ladder.

The states of Wirtemburg having rejected the royal rescript of the 26th of May, for the conclusion of a constitutional compact, his majesty has declared their assembly dissolved, and commanded that every member not residing at Stutgard, his vocation having ceased, shall immediately repair to his own home.

It is intimated that the king of Wirtemburg has received a letter from a "great monarch advising him not to go beyond what has been done before," and promising assistance against his subjects, if he should require it.

The Austrian princess has sat out for the Brazils, having embarked at Leghorn.

Santani, from *St. Helena*, has been arrested at Como, and his papers sent to Vienna. How fearful are the "legitimates," of the dungeoned lion!

SWITZERLAND.

In the canton of Fribourg, it is ordered that every man be imprisoned and criminally persecuted, who shall refuse to attend confession, &c. regularly. Such tyranny accounts for the emigrations from thence.

DENMARK.

A treaty has been made between Denmark and Spain—placing the commercial relations of the two countries on their former footing.

SWEDEN.

The king of Sweden has formerly acceded in the *Holy* alliance.

EAST INDIES.

We have a particular account of the burning of a leper at Cutwa. "A pit, about ten cubits in depth was dug, and a fire placed at the bottom of it, but instantly on feeling the fire, he begged to be taken out, and struggled hard for that purpose. His mother and sister however thurst him in again."

This practice seems common. The notion is, that the purifying of the body by fire gives it a happy transmigration—whereas if the person died by the disease he would after four births, have appeared on earth a leper again.

WEST INDIES.

The export of sugar, in any other but French vessel, is prohibited at Martinique.

The Royal Gazettes of Hayti contain a decree of king Henry, for the sale of all the dominial estates of the crown, excepting the palaces, the forests, and edifices appropriate to public purposes.

From the 9th to the 14th of July, four vessels arrived at Havana, from the coast of Africa, with 956 *slaves*. Three of these vessels were *schooners*, from which an idea may be formed of the manner in which the miserable creatures must have been stowed.

King Henry is said to have marched with 16,000 men to attack president Petion; and the latter to be prepared to meet him.

"SPANISH" AMERICA.

A royal Spanish account claims a victory by the Sabina frigate and two schooners, over Mina's fleet, at *Soto la Marina*; saying the latter was annihilated, the crews escaping to the shore, &c. *This may be so—but we more than doubt it.*

Lord Cochrane is represented to have arrived at St. Thomas', with 40 or 50 British officers, to join the patriots of South America.

There is an account of the capture of Margaritta, by the royalists—*If so*—its loss will be severely felt by the patriots.

FLORIDA.

We have a report that the royalists have attack- McGregor at Amelia with a great deal of spirit. At our last accounts the patriot flag was still flying, and the fighting had ceased. Further particulars unknown.

The ship Margaret left the port of New York on Sunday last, bound to Amelia Island; but was overtaken and carried back by the revenue cutter, Captain Cahoone. The Margaret had on board several persons, who embarked with the intention of joining the patriots under General *Mc Gregor*—also munitions of war, it is supposed for his troops. The cutter fired several times at the Margaret before she hove too.

A letter from Amelia island dated the 28th July says, "one of our privateers has sent in a prize—a brig laden with sugar and coffee, and with twenty-six thousand dollars in specie." M'Gregor appears to be waiting for reinforcements. The ac-

counts said to be from the island are contradictory and inconclusive.

BRAZIL.

It would appear that the patriots of Brazil are still in force, commanding the interior. The people of Paraiba, 30 leagues north of Pernambuco, have joined the revolutionary cause; and at this port a vessel lately arrived with 3000 stand of arms, &c. which were paid for in specie.

CHRONICLE.

The president had arrived at Sackett's Harbor and was soon expected at Buffalo, where the U. S. schooners Porcupine and Ghent had arrived to bear him up lake Erie. A committee of arrangement had been appointed to receive him in form, at Buffalo which he probably reached about the 8th or 10th inst. The particulars of his tour shall be resumed, and continued.

Naval.—Commodores Rodgers and Decatur, at New-York, have made arrangements for immediately commencing the building of a ship of the line and two frigates, at the navy yard there. It is confidently stated, that they will also make similar arrangements at Portsmouth, Boston and Philadelphia, for building a 74 and a frigate at each—the line of battle ship building at Washington is rapidly progressing, the materials for a frigate are collecting, and a 74 has been commenced at Norfolk.

It would appear that the nine ships of the line, twelve frigates and three steam batteries, authorized by law, will be completed with all desirable speed,—and it is expected that the cost will not exceed the 8 millions appropriated. The frames of all those vessels will be of live oak. When they are built, our navy will consist of

12 ships of the line,
19 frigates,
4 steam batteries,
8 sloops of war;

with a number of smaller vessels, besides the fleets on the lakes.

We have in commission—

3 ships of the line,
3 frigates,
7 sloops of war;

and several small vessels surveying the coast, &c.

The destination of the Franklin 74 is said to be changed—she still lies in the Delaware, and was intended for the Mediterranean.

The ship John Adams is immediately to be fitted at New-York.

The sloops Ontario and Saranac yet lay off New York, completely fitted for sea, waiting orders.—

The *Congress* frigate has been at Port au Prince, where captain Morris and his officers were treated with the greatest respect by Petion. The absence of our consul is said to have prevented any definitive negociations on the object of her visit. She left there on the 27th of July to settle some affairs with king Henry, at the Cape.

From the apparent bustle, as to naval matters, it has been hinted that "something might be brewing." The whole secret, we expect is this—the law is passed for building these vessels; the treasury is full of money; it is the people's desire to have a respectable navy, and its erection at this time will give employment to thousands of ship carpenters, &c. that are suffering for the want of it, through the present stagnation of commerce,—and it may never occur again that they can be built so cheap. Thus all things are fitted to each other, and opportunity is seized by the forelock.

Naval force on the Lakes—It has been published that the British are dismantling their vessels upon the lakes. This, we learn from good authority, is in pursuance of a mutual understanding between the American and British governments, that neither power shall retain more than two revenue cutters, of two guns each, on either lake, in service; and that six months notice shall be given by either, of an intention to augment this force.

In this arrangement the interests of the two governments are mutually promoted—and many occasions of collision and jealousy avoided. It saves a great expence to both; and is, besides, an evidence of confidence and good will which it is the interest of both to promote.—*Argus.*

Specie is pouring in from all quarters. The British frigate Inconstant, sir James Yeo, from Jamaica, via Havana, with 2,250,000 dollars on board, stopped at New-York on the 6th instant, to land 405,000 for the U. S. Bank, and 50,000 for individuals—the balance for England. A vessel has just arrived at Boston, from Lisbon, with 84,000 for the U. S. bank, and 34,000 for individuals: the U. States ship Alert brought 75,000 for the bank of the U. S. We also notice arrivals with specie, on private account, from Campeachy, and many parts of the West-Indies, Mexico and South-America, from Madeira, Amsterdam, Havre de Grace, Cork, Liverpool, &c. &c. in all not less than twenty or twenty-five in the last two weeks. If there should happen to be a short crop in Europe, we shall, from the exuberance of our's, give a great additional force to the current. The emigrants, also, bring much with them.

John Quincy Adams, esq. arrived at New-York from London, on the 6th inst. He has been treated with a sumptuous public dinner, at Tammany Hall.

The United States' armory at *Harper's Ferry* employs two hundred and fifty or sixty persons.—20,000 stands of arms, complete, are deposited, ready for service, and a great number is in different stages of progress.

Accidents and crimes.—Whether it is because the printers want matter and eagerly seize upon things as *news* which hitherto they disregarded, or whether there are more accidents and crimes than there used to be, is hard to say—but the fact is, we never heard of so many houses destroyed by fire, so many people drowned or otherwise accidentally killed; so many suicides, and so many robberies, as we hear of now.

The new steam boat *Virginia*, plies as a packet between Baltimore and Norfolk. The distance between those places is 210 miles. It is expected her passages will average less than 23 hours. The Virginia is a very large and staunch boat, elegantly fitted, and cost $55,000

Wheat.—A Mr. William Buck, of Lancaster, Pa. is said to have reaped sixty bushels and three pecks of wheat, weighing 66 lbs per bushel, from one acre of ground!

Exchange, At New-York Aug 9. Philadelphia, Baltimore, Bank of Columbia, and Richmond bank notes, par. Boston ½ dis. Rhode Island notes, 1 to 3 dis. Connecticut, par, *a* 1 per cent. dis. New Hampshire 1½ to 2 dis. New Jersey, par to ¾ dis. Delaware notes, 2 *a* 10, do. North Carolina, 3 *a* 5; South Carolina, 1 *a* 1½, do. Georgia, 2 *a* 3, do. Kentucky, 7 *a* 10, do; Tennesee 7 do. Ohio, 8 *a* 15, do. New Orleans 5 *a* 10, do.

The notes of the banks in the interior of New York, Pennsylvania &c. are at various rates. Many however, of the former, are at par. Notes of the District of Columbia, except of the bank of Columbia, at 2 per cent, dis.

This business of exchange is a curious business. I think that a *managing* man, through the generous assistance of the brokers and their secret patrons, might change a ten dollar note, of a specie-paying bank, into a five, in less than an hour, by discounts and premiums; and really, if I could afford to sport five dollars, I would try it and publish a detail of all the transmutations it would undergo in the process. The history might be useful.

Among the queer things of the times, is a statement made by the paymaster of the militia of Indiana, Mr. A. Whitlock, published in the Indiana Herald, of the 25th ult. apparently to vindicate himself against a charge of paying the militia in a depreciated currency. He says that he paid out precisely the same money that was delivered to him by the receiver of public monies at Vincennes; and then goes on to enumerate the banks or banking establishments by which it was issued, which are SIXTY-ONE in number.

It is pleasant to observe that the extent of the business of exchange is daily lessening, by certain of the banks getting up their notes to par.

Croghansville.—The U. S. lots in the town of Croghansville, at the Lower Rapids of the Sandusky, were sold at public auction on the 7th ult. All were disposed of except those reserved for schools. The tract is two miles square, and the whole amount of the sales was $121,000. Taking in the reserves, the product is about *fifty* dollars per acre. The situation is a good one; but in and about it it is yet a wilderness.

A newspaper has been lately established at Detroit, by Messrs. *Sheldon and Reed*, entitled the "*Detroit Gazette.*"

Mr. *Daschkoff*, the Russian minister, has lately visited the falls of Niagara.

An *insurance* company is established at Buffalo—capital $400,000.

Disgraceful.—The following is from the *Charleston Courier* of the 2nd inst.—Many hundreds of our citizens in town and on Sullivan's Island, witnessed, on Saturday last, a smart cannonading between fort Johnson and the revenue schr. *Gallatin.*

The latter, it appears, had been out over the bar, having on board a number of gentlemen, on a party of pleasure. On her return to town in the afternoon, passing the Fort she was fired at, with a view of bringing her to, under the quarantine regulations—the shot was immediately returned by the cutter, and a smart fire was kept up between them, until the latter got out of reach of the guns of the Fort. The flag of the revenue cutter has heretofore been generally considered as a sufficient evidence of her character, to allow her to pass the Fort without molestation; but a different opinion appears now to prevail; which gave rise to the above conflict. We do not learn that any injury was sustained either by the Fort or Cutter on this occasion.

INDIAN AFFAIRS.

We learn from our southern papers, that the assemblage of the Creeks at fort Hawkins, in July, amounted to between fourteen and fifteen hundred; and many were prevented from attending by the inconvenience of leaving their crops at that important period of the season. The conduct of the Indians at this council, it is said, was marked with great propriety and decorum. The principal chiefs dined every day with general Mitchell, the United States' agent, and in the afternoon executed the points which had been previously discussed and decided upon in council.

At this meeting, we are informed that the United States' agent had sufficient influence to prevail on the council to abrogate their ancient law of retaliation, which permitted a murder to be satisfied by taking the life a relation of the murderer, if the principal could not be found; and have thus forbidden the practice of indiscriminate revenge. On this point they have passed a written law. The agent also procured their consent to the cession of a piece of land which shuts them out entirely from a part of our frontier and secures the citizens from the danger of Indian aggressions. The day the United States' Agent left them an unfortunate affair occurred. The Indians having received a considerable sum of money from the United States, some of the younger warriors determined to have a frolic, before they went home. A principal warrior, one who was next in command to M'Intosh, in the service under general Jackson, among others got drunk and killed his own nephew. The chiefs immediately convened, and after ascertaining the fact of the murder, they ordered the perpetrator to be instantly taken and executed, which was done in less than an hour after the murder had been committed.

Indian Speech.—The following speech of SEAFECHA BARNETT, a half breed Creek Indian, was delivered a short time past before a national assembly of the chiefs:—It evinces a pacific disposition which should be cherished by our government.—*Geo. Argus.*

"*My Countrymen*—God made us all, both red and white Americans, to live on one island. Since the Almighty has said we should live together, why did we join the people who came from beyond the salt-water? Why did we join the British? Let us raise our children to the end that God created them. We can live without the red-coats or their help. Let us, then, raise our corn and eat it. When God gave us this land, he said we should rest our bones upon it—so he said to all those to whom he gave land.

"I think there is but one God; and that that God is just—if we walk strict in *this*, he will save us in the *next* world. The cold water which he gave us still runs—so are the paths for the government of the conduct of good men still here. Foolish as I am, my little understanding tells me, when I see these things, that they are God's works.

"When the white people first came among us, the Great Spirit had forbid our mixture—we did mix—and to avoid the pain of separating the husband from his wife, the father from his children, and the brother from his sister, he has continued the course of the mixed blood in our veins. We must remain in this situation, because God is upon the top of us, and directs it to be so. Gen. Washington acquired a war-name above the rest of men—but the mixture of our blood, and the accession of a part of our strength to his, added not a little to it. You all know, my countrymen, who know any thing of the unfortunate history of our country, how slow was his progress when opposed by the strong and undivided arms of our fathers, and how rapid it has been since Whiskey and Calico have divided us.—We are all one people."

U. S. Bank.—George Graham, esq. is appointed president of the branch at Washington, vice Mr. Cutts resigned; and Samuel W. Dana, esq. a senator of the U. S. is appointed president of the branch established at Middletown, Con.

Maryland Penitentiary.—Whole number of convicts 301—viz. 216 men, and 85 women, variously employed.

Extraordinary crop. General Israel Jencks, of East Windsor, (Con.) raised the last year, from 54 acres and 84 rods, 417 bushels rye, 285 bushels

wheat, 5400 lbs. tobacco, 150 bushels turnips, 1600 bushels potatoes, and 60 tons of hay.

EMIGRATION.

Within the last *two weeks*, ending yesterday morning, we have received accounts of the arrival of *twenty-six* vessels, at the several ports of the United States, with two thousand five hundred and twelve passengers, viz.

From Amsterdam—Germans and Swiss	1896
——— England, Ireland, and Scotland	281
——— the same, *viz. Nova Scotia and Newfaundland*	238
——— France	97
	2512

☞We have a detailed statement of all who have arrived at Philadelphia since the opening of the navigation of the present year, which we intended to have published; but will thank the obliging gentleman that furnished it, to continue it up to the end of the year, and favor us with said continuation. It will then be complete in itself, and, probably, be accompanied with like tables for other ports.

Baptists in the United States.

Extract from the proceedings of the general convention of the Baptist denomination in the United States, at their first triennial meeting, held in Philadelphia, in May, 1817: shewing the number of churches and members in each state.

State	*Churches.*	*Members.*
Maine	112	6287
New-Hampshire	53	3738
Vermont	112	8470
Massachusetts	91	7731
Rhode-Island	57	5945
Connecticut	49	6772
New-York	321	23558
New-Jersey	24	1941
Pennsylvania	60	4517
Delaware	8	570
Maryland	33	1455
Virginia	314	11838
North-Carolina	215	11711
South-Carolina	169	11003
Georgia	202	16834
Mississippi Territory	56	2441
Tennessee	169	9704
Kentucky	421	22434
Ohio	103	3628
Indiana	67	2474
St. Louis, Ill. M. T.	9	216
S. G. Conf. U. S. A.	10	1934
	2664	165,201

There were no returns of the number of churches nor members in one entire association, and the number of members are not reported from 142 churches in Virginia.

No return of members from 18 churches in North Carolina.

No return of churches or members from one entire association of South Carolina.

No return do. one do. in Georgia.

No return of members from 8 churches in Kentucky.

No do. do. 5 do. in New-York.

Upon making a very moderate allowance for the associations, churches, &c. from which reports have not been received, the exhibit of the whole will be as follows:

Number of Baptist churches in the U. S.	2,727
Ministers	1,936
*Baptised last year, at least	10,000
Members in Fellowship	183,245

Altitudes of Mountains.

A table, *containing the Altitudes of Mountains*, calculated from Barometical observation, by A. P.——captain in the United States corps of Engineers.

WHITE MOUNTAINS.

Names of the different Peaks.	Altitudes in feet. above their bases.	above the sea.
Mount Washington,	4,885	6,634
1st peak south of M. W.	3,904	5,653
2d do. do.	3,584	5,333
3d do. do.	3,430	5,179
4th do. do.	3,367	5,116
5th do. do.	2,881	4,630
Base of the Mountains,		1,749

The White Mountains are situated in the north east part of the state of New-Hampshire, and are probably the highest on this side the Mississippi.

CATSKILL MOUNTAINS.

Round Top,	3,105	3,804
High Peak,	3,019	3,718
Highest part of the Turnpike,	1,729	2,425
Base of the Mountains,		699

These Peaks lie west from Catskill town, and are probably as elevated as any in the range. The Turnpike passes over the range of Catskill Mountains, from Catskill town to Delaware river.

GREEN MOUNTAINS.

Killington Peak,	2,994	3,924
Base of the Mountains,		930

Killington Peak is situated in the town of Killington; and is said to be the highest in the range.

NEW-YORK HIGHLANDS.

Crow's Nest,		1,418
Butter Hill,		1,529
Bull Hill,		1,484
Old Beacon,		1,471
New Beacon,		1,585
Bare Mountain,		1,350
Break Neck,		1,187
Anthony's Nose,		935
Sugar Loaf,		866
Fort Putnam,		598
West Point Plain,		188

These Mountains are situated on Hudson's river, below Newburgh; as most of them rise immediately from the river, their altitude above their bases is not considered.

* 9872 is the total number from actual returns. The addition of 128 is the allowance made for the associations, churches, &c. from which reports have not been received.

NILES' WEEKLY REGISTER.

No. 26 of Vol. XII.] BALTIMORE, SATURDAY, AUGUST 23, 1817. [whole no. 312.

Hæc olim meminisse juvabit.—VIRGIL.

PRINTED AND PUBLISHED BY H. NILES, AT THE HEAD OF CHEAPSIDE, AT $5 PER ANNUM.

A SUPPLEMENT of eight pages, to dispose of a quantity of miscellaneous matter (frequently postponed,) was intended for the present number, but forbidden by circumstances. On closing this volume the editor felt justified in saying something about himself—see "Address and Remarks," and was willing to make an indemnity for the space occupied by it.

It was the editor's design, to have published the concluding number on "POLITICAL ECONOMY," in this volume. Other avocations, of a less pleasant but more pressing nature, have prevented it. Perhaps, as the preceding numbers are complete as far as they go, the delay may be advantageous, by enabling him to give a more extended and a better view of the subjects that have so much interested his readers.

The observations on *Banks and Bank notes* are not concluded. Some have thought them severe, but all acknowledge them to be just; and it is a pleasure to add, they have done good. The evils complained of have been lessened by them.

The second letter on the "Public Lands," though our obliging correspondent regrets the dryness of its detail, will be found interesting to those concerned in them; as well as for its history of the things that belong to them in the section of our country described.

A NAVY.—"Cato" has favored the public with another essay in the *National Intelligencer*. He chiefly maintains the propriety of his former views of the subject, re-urges his arguments, and deprecates the probability of the evils that some have apprehended from the adoption of them; but does not touch the main point—the *manning* of such a force as he wishes us to have. He sarcastically thanks the editor of the "WEEKLY REGISTER" for having "condescended" to treat him as a "real friend of the navy"——This does not seem quite fair. What right had we to know "Cato?" He was to us anonymous—we had to form our opinion from what was immediately before us; we presented his essay entire in precedence to any remarks upon it. "Cato" is certainly politician enough to know, that that which may really be a proper and prudential measure, can be defeated as well by pushing it too far, as by holding it back. But, if it can give the writer any satisfaction, the editor will most freely acknowledge a perfect conviction that he is truly what he professes to be—a "real friend of the navy." In this acknowledgment there is no recession from the ground we took—but, differing as much as we do in opinion, we are assured that there is no difference in principle between us. And the history of nations convinces us, that the sovereignty of the ocean will not remain permanently with England.

It is a gratification to be told, for the first time, within a few days past, that the force proposed in our essay is the *ultimatum* of the present views of some of our most experienced and intelligent naval officers: as competent to all the great purposes that we ought to hope for from a navy.

Editorial Address and Remarks.

We have arrived at the end of the 6th year of our work. The 12th volume of the WEEKLY REGISTER is herewith completed, except the title page and index, to be issued as heretofore.

This publication has acquired a body that now speaks for itself. Its matter and manner have been judged by the people. It has outlived the fate predicted for it, by many of the best friends of the editor; and, whatever may be its future lot, it has established a new era, if the phrase is not too pompous for the occasion, in the printing business: not only in regard to its regular and extensive collection of documents and facts, in so many departments of useful knowledge, but in passing through the warmest period of politics, and most warmly engaged in them, without a solitary personal attack—a descent to remarks upon *men*, so much easier to an editor than the support of *principles;* except in the case of *Cockburn*, perhaps, and two or three others,—whose outrages on every thing that was laudable, placed them under the ban of all the worthy. But ever in regard to these, as well as in respect to all else that has been inserted in this voluminous work, the editor can lay his hand upon his heart and declare, that he never has given a thing for a fact that he did not seriously believe was one; and he may further observe, that apparent facts were generally examined with much caution before they were received as such.

When these barbarisms were going on by the *Cockburns*, and when the *Disgraceful Convention* was in preparation to be held, or was holding,—the editor was frequently told by very many persons who *negatively* sanctioned them, that the REGISTER was too warm; that so much politics injured it, &c. Perhaps, the latter may have been true—but they might as well have requested a man in a fever to keep himself cool, as to have advised me to a different course from that which was pursued. With all my heart, and soul, and mind, and strength, I obeyed the dictate of WASHINGTON, to "frown indignant" on the desperate "attempt;" and am flattered with a belief that I did my share as well to expose its wickedness as its folly. Let the prospective facts stated in my essays at that time be compared with what has really happened, and might take some credit to myself for "a spirit of prophecy." But these days have past, never, I believe, to return—and a proud NATIONAL CHARACTER is growing out of the shreds of party. On most of the great measures of policy we are now more united than any people in the world; questions involving conflicts of opinion will, and, perhaps, ought, to exist amongst us; but, I trust, that our differences will more and more become as the differences of friends and gentlemen, having a common object. Some there are that must at all times be dabbling in hot water—but the little influence and ability that I have, shall be exerted to sink these, and the whole office-seeking tribe, in splendid views of our extensive, happy and (about to be,) mighty republic.

We have land "enough and to spare"—we enjoy as great a portion of happiness as can easily fall to the lot of a nation. It depends on ourselves whe-

ther we continue in the possession of it or not.—The base on which it must rest is an enlightened policy, founded upon *political economy;* a science that teaches us to produce great results from apparent trifles, and extends equally from the smallest to the most important sources of *power* in a people. I do not mean a mere power for *war;* I give it a wider range, and mean the *power to prosper* in every legitimate undertaking. But this science is miserable neglected. Gentlemen will give me what credit for the assertion they please,—but I truly confess, I have felt myself humbled at the high praises bestowed upon my small efforts in it;† which have also caused me deeply to regret a want of talents to develope its multifarious branches, as I would—as well as a want of sufficient ease and retirement for reflection, to give it even the views, that I might.—The truth, however, is—that very many wish to read in the manner that they sleep; without the trouble of thinking of what they are doing:—and I have always been satisfied, that though the laborious statistical articles in this work are most creditable to it in the opinion of many, some would rather occasionally see accounts of ghosts and "horrid murders," with narratives of *crim con.* shewing as "how

†As, in whatever concerns the editorship of the WEEKLY REGISTER, I am especially zealous to be regarded as "a matter-of-fact-man," as a distinguished gentleman, on a public occasion, was pleased to call me, I take the liberty to offer the following extract from a long editorial article in a very respectable newspaper, the "*Western Herald,*" published at Steubenville, Ohio. It is but a small part of the spontaneous praise of the editor of that paper, who is unknown to me, personally or by private correspondence, though it seems that we have, without knowing it, mutually esteemed one another. The text of his remarks is a short editorial paragraph in which I assumed some share of the credit of bringing the words "national character" and "national feeling" into common use—(see the *Register* of the 19 ult.) and, on first glancing at it, I felt a little alarmed lest that assumption might have been thought indelicate by a man whose good opinion I would desire to have, and yet I felt justified to myself in what I had done. For, though the "oyster knife" wit, or "hair splitting" criticisms, of such folks as the editor of the *Albany Gazette* and the late editor of the *Virginia Patriot,** raise a broad smile for a second of time, there are some whose reprehension would make me unhappy for a week, though so long used to being bandied in the papers. But the editor of the *Herald* not only does not reprehend me, but gives me infinitely more credit in this and in other respects than my vanity ever aimed at hoping to receive, from any man, much less to deserve. After speaking of the essays on "Political Economy" which, under various heads, have appeared in this work, he says—

"A man might read Adam Smith's wealth of nations till doomsday, before he could get half as much light on the subject of the *economy of nations,* as Mr. Niles has furnished within the last two years. By localizing the particular branches of his subject, he has matured and prepared the mind of the reader to take a "*view of the whole ground.*"—Mr. Niles has not only done "*as much as any man*" in developing the best mode of maturing and making the most of our resources, but in our opinion he has done vastly more than any *ten,* or we might say more than any 100 men, whatever may be their standing in the nation, and, so far from Mr. Niles having rated his labors too highly, he has not valued them equal to the high estimation in which they are held by the public.

"The subject of political economy, which Mr. Niles has examined, required much research. The labor of the mind, and of such a mind as Mr. Niles', has been productive of much good to the nation and to the millions of which it is composed. A mental labor, like Mr. Niles', is worthy, every way worthy, of its due reward. He possesses a mind of great compass, and embraces at a *glance,* the *means* and the *aggregate* of a nation's wealth. He views the minutiæ and the fragments of man's industry scattered over the various climate and soil of every state. He combines the substance and the industry of all, and presents to the nation a view of its whole mass of wealth. He does more: he exposes the prejudices and the folly of an *enlightened people,* in an *enlightened age,* in consuming the manufactures of foreign nations, to the *manifest injury* of our own. He presents you also, with the picture of a *nation* about to regenerate itself, by saving its substance, simply by the introduction and *protection* of "*home manufactures.*" He has convinced every man among us who was devoted to England and her manufactures, (and they were not a few) that it is more profitable for us to make our straw bonnets, our boots, shoes, our cotton, our linen, our cloth, &c. here than in England. And so much is the public mind improved (and greatly by his means) that it would now be deemed tedious, and trifling with a man's time, to offer an argument to prove that we can grow *rich* and accumulate capital by manufacturing so much as to supply our own wants and even the wants of others, and that we must inevitably grow *poor,* yes poor indeed, by foolishly importing manufactures from foreign countries, substitutes for which can be made better and cheaper at home. The *home feeling* on this subject is now good—only keep it alive, and it will do every thing for us as a nation."

[At the conclusion of the whole, he offers the following proposition. The question is partially answered already, (in an extended view) in the second number of our series on "Political Economy" recently published, but may be very happily introduced, *so as to come home to every man's fire side,* in the concluding essay, not yet finished† and I accede to the request with the same frankness that it was made. I will attempt to shew the important "difference" desired by Mr. *Wilson*—not, however, with the hope of giving it so much force as he would cause some to expect from me.]

"A word to Mr. Niles. We would propose to you, to present the public with a picture or a statement of two different settlements of ten thousand acres each, with a given population, shewing the difference in their advancement to wealth and the accumulation of stock. The first settlement we may suppose to be located on the Atlantic seaboard, and

*This man once raised a fair laugh. He wrote and published about three columns to prove that *I* was a fool;—and, in his very next paper, in a column and a half, made it out that Mr. *Jefferson* was one also!—If he had known how moderate my pretensions are to the character of a scholar, he would hardly have taken so much trouble with *me.* I am no scholar—to make myself clearly *understood* is all that I aim at.

†A very friendly writer in the *Plattsburg Republican,* will find a grateful acknowlegement for and a liberal use of, the *statistical* facts afforded by him, in this essay.

Lorenzo raised the devil,"* and the like. But they do not suit my humor, though the introduction of them might not injure my pocket, and a pair of sharp scissors become the great editorial instrument instead of a goose quill, to the relief both of body and mind—and cannot have a place in this work, while it is under my charge. It is very certain that my first object is to make money; but literary men (descending even to my own walks) as well as statesmen and soldiers, have a thirst for what the world calls glory, and as warmly pursue it—a passion that, properly regulated, is the grand stimulus to noble actions;—and my second object, hardly less ardently desired than the former, is to be the maker or compiler of a work to become a *sine qua non* to complete a LIBRARY. A few years hence will shew the extent to which I have succeeded. And here it seems a proper time to say—that the work is my own. With the exception of about a dozen current articles, long or short, in the 1st and 2nd volumes, and about as much in the 10th and 11th, (all which were written from *outlines* furnished by myself) every thing else of an editorial character is the product of my own personal labor, unassisted in any way by any one soever.

In reviewing the vast field occupied by the REGISTER for the six years of its publication, I do not see any thing that I heartily repent myself of, except some *dunning* notices. Would they were all blotted out!—But they were wrung from me by an excess of pecuniary suffering, not originating in this work, but which ought long since to have been relieved by it. Nothing of the sort will, probably, occur hereafter; as well from the result of experience that they do no good, as in there being no necessity for them, by the new arrangement requiring payment for the REGISTER *in advance*. IT IS ON THIS PRINCIPLE THE WORK WILL STAND OR FALL. It is a rightful and reasonable one, and will be contended for at every cost. If it cannot withstand the first shock which inattention, pure *inattention*, to the requisition, may give to it—for many may *neglect* a compliance with the terms and of course cease to receive it, and some perhaps even feel offended by the procedure. I cannot help it.—That which is esteemed full value is offered for the money required; but every one has an undoubted right to hold a different opinion, and will act for himself. After using every fair and honorable means to keep up this work, on my part, it will remain with the public to say, whether it shall be printed for many years by me and my sons and successors, or expire in a few. I cannot pretend an indifference to the result of this proposition, though convinced that the same industry and application in other pursuits might be quite as productive of pecuniary profit—for it is my "hobby." And, to the real friends of the WEEKLY REGISTER I have respectfully to say, that their efforts are "impressed" or "conscripted" to bear it against the pressure of the moment, by extending its circulation in their several neighborhoods, lest it may suffer through the inattention just spoken of. The favorite phrase, "that his majesty wants men and must have them," just as well applies to us, in having punctual subscribers—"his majesty" could no more carry on his wars without the former, than we publish the REGISTER without the latter. And we will further remark in conclusion, that the instructions which may be given for cooking a beef-steak, as for things of the greatest moment, suits us precisely: it is this—"*If 'twere done, 'twere well 'twere well done, quickly.*"

On this occasion, making a period, as it were, in our editorial labors, the present volume being designed to complete a series of the work to a certain extent, as explained in our number of the 9th inst. the editor, perhaps, may be justified in inserting the following extracts from three letters received during the week, neither of which were designed for or expected to be published, and the names of the writers cannot be mentioned, however flattering it might be to his vanity to give them. It is sufficient to say that they are from gentlemen that have filled, or do now fill, some of the very highest legal situations in the gift of the United States or of some of the states, eminent for their literary acquirements. The honest truth is, that he is proud of such things; nor does he see any thing to be found fault with in the confession of it. A man's reputation is as much a part of his stock in trade as his money, and sometimes worth a great deal more; and he has as much right to make an honorable use of it.

I.

"The Register really contains such an extent and variety of information, on every subject interesting to the politician, professional gentlemen, or man of business, that it has superseded with me all the other periodical publications of this country. May it continue to prosper and flourish."

II.

"I consider it [the Weekly Register] a publication highly useful for the political, statistical, and judicial information, which it contains; and in other respects it certainly surpasses any other similar journal, with which I am acquainted. Its strong and ardent patriotism, and its firm American principles and attachments, cannot but give it a still higher claim with those who sincerely love their country—To this commendation your work is [illegible]

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may be called the *Anglo-American province*, to raise *agricultural products* only, and to purchase *every manufactured article* that they used from foreign countries.—The other settlement we would locate on the banks of the Ohio, and call it the *Economical Republic*—to raise, produce, and manufacture, every thing they might eat, drink, wear, or in any wise use, and sell their surplus articles of agriculture and manufactures for *cash*.

"The question then would be—"*what would be the difference in the accumulation of capital in one year*, between the *Anglo-American province* and the *Economical republic?*"

"Mr. Niles is fully equal to such an estimate as this. Should he decline making it, we must, as we are strongly impressed with the importance of presenting such a picture to the public, attempt it. But the subject being familiar to Mr. Niles, and every way in consent with his habits and reflections, we doubt not he will accede to our proposition.—Such a comparison will have a good tendency—it will shew us how we ought to live—it will shew us how to grow rich—it will shew *the nation* the way to wealth—it will make the principle of *home economy* familiar to every village, town and city, in the U. States—it will present a bold and imposing view of the good fruits of home feeling, of home industry, and of home economy: and if there is a *British Owl* lurking any where near, with his eyes still covered with the film of prejudice, present him with this picture, and he must either fly off to his native or congenial soil, or acknowledge that his predelictions are stronger than facts."

*A story of a drunken husband and a strumpet wife, just now taking its round in the papers. A single mail brings to us five or six copies of it.

ly entitled even from those who may not subscribe to all the opinions which you entertain. To myself, personally, it has an additional value from the opinions and decisions upon legal questions, which you have so judiciously placed in it."

III.

"I find much to please, and instruct me in reading the volumns of the Register, which I often look into in my hours of leisure; and I feel grateful for your labours which have selected, arranged, and preserved such a mass of useful matter in a perspicuous and permanent form."

"You have my best wishes for an increase of profitable patronage, and success in your editorial labours."

☞The late Mr. *Dallas*, author of the famous "Exposition of the cause and character of the war" with Great Britain, openly and repeatedly mentioned the services this work had done him, in that well executed undertaking.

The Register is now as a part of the out-fit of our foreign ministers, and is at every principal court in Europe. I have sold either five or six sets to our government.

And, I am told that a copy has been obtained by the emperor of *Russia*, "the magnanimous Alexander" who has "graciously been pleased to say, that he received more light through it of the real condition of the United States than from every other source."

Glances at Europe.

Russia appears to be the only country in Europe where the state of man is improving. It is true, there was more room for it in this great empire, perhaps, than any where else, a very large part of the population being semi-barbarians and absolute slaves. *Alexander* is, without doubt, the wisest and most politic, as well as the best sovereign in the world, (for they are generally half-ideots or drunken sots) though not the least ambitious; and deserves great credit for his successful exertions to ameliorate the condition of the numerous and various people that inhabit his widely-extended empire, as yet much behind the neighboring countries in a knowledge of the sciences and useful arts. The views of this prince are truly gigantic; and he will, certainly, be the arbiter of the old world, if the present state of things is permitted to go on. With one foot placed on the *Baltic*, ready to be advanced to the *Atlantic* when occasion fits it, he washes the other in the *Pacific*, and stretches his arms from the *pole* towards the *Mediterranean*. Already, emphatically entitled to be called the ruler of nations, and having blotted *Poland* from the map, he persuades the *Grand Turk* out of some of his fines provinces as introductory to a future seat at *Constantinople*, holds *Prussia*, *Denmark* and *Sweden*, and several *German* states as his satellites, alarms *Austria*, intrudes upon *Persia*, and threatens even the distant empire of *China*. In *France*, too, he rules, and *Spain* and *Italy* bow to his influence. He protects the arts, encourages agriculture and extends commerce. The *Black Sea* is covered with the Russian flag, which now visits all nations, and the *Caspian* will soon be thronged with their ships. The disordered state of Europe has thrown into his country many thousands of the most enlightened and most useful of her citizens; and he, instead of fearing, has cherished them, to chasten society, and, in a thousand ways, add to the resources of his empire.—Liberal ideas must more and more prevail, and the peasantry receive emancipation by degrees—at present, the bulk of them are mere slaves, and, in the parts distant from the capital, with no more *rights* than cattle. The great military force of Russia has been raised exactly as a man would select certain oxen from his herd for the butcher's knife; yet *Alexander*, on one or two occasions, descended to talk about the conscriptions of France! Russia has also a considerable number of ships of war, some of which are said to be very fine vessels; but will not, probably, become a great maritime power until it pleases the emperor to extinguish *Denmark* and *Sweden* and drive the *Turks* into Asia; events that, probably, may soon come to pass, and then his means and conveniences for a large navy will be very ample. More politic than *Napoleon*, we see that *Alexander* has fully as *enlarged* views—and, in truth, it appears quite as necessary that kings, as individuals, should have a master: and, when he has consolidated and organized his late acquisitions, we shall see whether it is better that they [the kings] should be governed at *St. Petersburg* than at *Paris*.

The finances of Russia, in common with those of Europe, at large, are however much disordered, and the public credit must be at a low ebb; for, by a late ukase, the commissioners of the sinking fund are authorized to give a bonus of 20 *per cent.* for monies lent, with 6 *per cent.* interest on the whole capital thus created. It was almost as bad in the United States during the late war, when a vast conspiracy was in full operation to bankrupt the government; but it did not last long—and, being at peace, our 6 *per cent.* stocks are above par. But many of the *British* loans have been raised on as destructive terms, in time of war.

England is in a peculiar and very interesting state. She has neither external nor internal *war*, yet she is not at *peace*—[see the speech of the chancellor of the exchequer on the budget;] but with peace abroad, has a *quasi* war at home, and is compelled still to keep up a vast regular military force to assist the "loyal" militia of the kingdom. With her great exports and the vast product of her manufacturing industry, rich colonies and numerous advantages, the people are unable to pay the taxes levied upon them, and these taxes, if collected, are inadequate to her expenditure! The *permanent* contributions of the people cannot fall much short of 100 millions a year; say 60 millions for payment of interest on the national debt and support of government, 15 to the various herd of commissioners and tax-gatherers, spies and pensioners, 10 in poor-rates and at least 15 in what are called "private charities," but which, in fact, are nearly as much extorted as any thing else, and a long list of *et ceteras*. In the present year, the government will really borrow not less than 20 millions, (100 millions of dollars) and next year as much more, with the interest on this, must be borrowed, if the present state of things continues. The *habeas corpus* act, once the boast and glory of England, is further suspended, and the infamously famous *letters de catchet* of old France, are virtually in use. The whole country is infested by spies and informers—villains of the darkest cast, who urge the people to riot and disorder to earn the wages of ministers, as is broadly, yet strangely, confessed in the report of the committee of the house of lords, recommending a continuance of the suspending act, and as has been repeatedly stated, and never denied, in parliament.* "*Sham-plots*" are

Extract from the report.—"This intelligence must be considered as resting in many of its parts upon the depositions and communications of persons who either are themselves more or less implicated in

a part of the system; without them the arm of government must fail, and the leeches cease to suck the blood of the laboring poor. These are the words of truth and soberness—literal facts, of common notoriety; and some, in the house of commons, have openly said that certain tumultuous meetings of the people, as they are called, were for a fourth part composed of spies, urging them to extremes. A wretch, that passes by the name of *Oliver*, was detected in some *treasonable* act, and about to be committed, but instantly released by instructions from London! The people have found that in fighting for the "liberties of Europe," (the phrase under which all the *John Bulls* cloaked their own schemes of domination,) they have perfectly enslaved themselves; and the boors of Russia are hardly less degraded than the laboring classes in England—one-fifth of the people are paupers, dependent on the "public bounty" for potatoes enough to keep soul and body together. The secret service money of England, openly acknowledged, or drawn from the "droits of admiralty" without saying one word about it, amounts to a greater sum than the whole cost of the government of the United States, including the interest on the national debt; and the payment of the persons employed there to manage the debt and collect the revenue, amounts to three times as much as we have to pay! France had her *bastile;* but every English county jail is one now. Misery increases as it goes on—the taxes are equal to the whole rental of the kingdom—the wholesome middle class is disappearing or has disappeared; late respectable men are literal beggars, and the whole wealth of the nation is collected into the hands of the worthless, speculating, stock-jobbing few; who, in luxury, look down and laugh at a starving multitude. With an entire evidence of the fact that England is too populous for a peace establishment, so many obstructions are laid in the way of emigration as, in fact, to deny it to those who have the most need of it, from a jealousy lest they might incidentally swell the population of another power—rather than which they would have them to perish at home!——To play a little longer on the public feeling, a committee of the house of commons have intimated that a reduction of the interest on the debt would be expedient—but this is nonsense; the people never will be relieved of it but by managing the affair themselves; and happily, nine tenths of the loss that might thereby be incurred would fall upon those who dishonestly, or without value given for it, acquired the property. The poor mad king, perhaps, holds a million or two, for an instance; so it passes through the immense mass of nuisances, in state and church. Almost every part of the country seems agitated; but if the people have any fixed design they are without method, and only make bad worse by a shew of resistance.

What is to be the end of this system—or when it shall end, we know not; but it seems as if it must have an end, and we cannot be sorry that the worst government in the world should fall.

France, that lately dictated to the continent, is now hearded by all the old "legitimates;" a foreign army in her territory dictates the law to the king, and exacts tribute by the bayonet. The imbecile *Bourbons* are restored, and all that belongs to her as a great nation has retired, or reposes for a new opportunity to come forth. With the exception of some mobs crying for bread, France seems quiet; but we must rather believe it is the quiet of necessity than of content. The government is borrowing large sums of money.

Spain, with an ungrateful fool for her king, suffers much. She is every way miserable—without honor and without means. Poverty prevades the whole country. Her public debt is about 60 *per cent.* we believe, under par, and there seems to be little prospect of paying the interest or principal of it. The king would borrow much money, but none will trust the traitor.

In *Austria*, and *Germany* generally, together with *Prussia* and in the *Netherlands*, much private distress and public difficulty prevails. In *Switzerland*, also, and northern *Italy*, there is great suffering for want of food—mere necessaries of life. The finances of all are deranged; and it would appear, that no government in Europe possesses resources equal to its expenditures, though all are at peace! Nor is there more than one or two in which the people have, or can get, enough to eat by their labor! Such are the fruits of legitimacy. What a contrast to the state of our own republic!

PITHY SUMMARY.

From the Catskill Recorder.

Spain—Conspiracies, bigotry and the Inquisition.

France—Humiliation and proscription.

"Upon my head they placed a fruitless crown,
"And put a barren sceptre in my gripe."

England—Spectral national poverty—paupers and princes and criminals.

Ireland—Riots and starvation.

Russia—Colossal projects and colossal means.

Austria—Poland—Switzerland—Dark shades in a dark picture.

Italy—The pope, the lazaroni and the robbers.

The Black Sea.

The *National Advocate* exhibits the importance of the trade of the Black Sea, and urges it to American enterprize. From the improvements recently made on its banks and of those of the rivers that empty into it, by the enlightened policy of

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these criminal transactions, but who have apparently engaged in them, but with the view of obtaining information, and imparting it to the magistrates or to the secretary of state."

Sir Francis Burdett roundly charged the ministers with manufacturing the treason themselves. The spies, it appears, made much use of the name of this gentleman to get the confidence of the people, and sir Francis enquired if they were instructed so to do—*Lord Castlereagh admitted that they were so instructed.* What a state of society is here! Who can wish it continued?

We have a particular account of the detection of one of these spies in Ireland. The wretch was the chief evidence at the Lifford assizes against several persons charged with offences that, if they had been guilty of, would have caused them to have been transported, at least. The presiding judge happened to be an independent man, who loved justice more than the king's service; and, in the examination of the fellow it appeared, by his own reluctant confession, that he was employed by a justice of the peace to entrap and ensnare the unwary—to serve in which he acknowledged that he had taken no less than five false oaths which he had meant to break; that he had been present at the burning of a house, without using any means to prevent it, thinking it time enough for him to communicate the crime when it was committed, &c. &c. The principal in this business, the *justice of the peace*, was a major D'Arcy; who, it appeared, had a tribe of such scoundrels in his pay. The persons charged were instantly acquitted on the preceding facts being known.

the Russian government, the chief port *Odessa*, has become the granary of that quarter of the world. In the last year, no less than 1360 ships cleared at this port, 846 of which were large vessels; viz. 407 Russian, 258 English, 101 Austrian, 25 French, 23 Turkish, 15 Swedes—not one of the United States. Taganrock, at the end of the sea of Azoph, is also a very important place, and is the great depo of the over-land trade with China, &c. Nicoleff and Cherson are also represented to be improving very rapidly, and carry on a very handsome commerce. The neighborhood of the Black Sea will probably become among the most important and interesting of all the countries in the Russian monarchy, having great advantages of soil and climate, and watered by several great rivers. The Turks command the entrance—but it is thought they would not deny it to the American flag, if it were asked, as whatever relations we have had with them have been friendly; and indeed, they will be little disposed to quarrel with *Alexander*, who, if not checked, will himself very soon command it; he has full as much ambition, with more policy, perhaps, than *Napoleon*, as is seen from his stretching his immense power in every direction, though he rules a territory far greater in surface than all Europe. If his present designs should not extend to a driving of the Turks beyond the Dardennalles, it will at least be exerted to support the commerce of this highly favored part of his dominions, and the Turks will hardly refuse egress and ingress, as he wishes to have it.

Cannon Foundery.

The New York papers gives us a very interesting account of a new and extensive cannon foundery, lately established by Peter Townsend, esq. on Chamber's Creek, near Newburg. Ninety tons of cannon, the first ever manufactured in the state of New York, after undergoing a thorough examination by Major Dalaba and Lieutenants Simason and Thomas, were proved in a very severe manner, and the whole quantity passed the ordeal. The charges were as follows, the first for the 18's, the other for the 24 pounders—

Powder.

1st. Charge, 9 lb. 2 Balls 18 lb. each, and 2 Wads.
2d. do. 8 do. 2 do. 18 do. do. 2 do.
3d. do. 6½ 3 do. 18 do. do. 3 do.
1st. Charge, 12 lb. 2 balls, each 24 lb. 2 Wads.
2d. do. 10 do. 2 do. do. 24 lb. 2 do.
3d. do. 8 do. 3 do. do. 24 lb. 3 do.

Each cartridge, balls and wads rammed home.

"The beauty and smoothness of the bores of the cannon, seemed to give to Major Dalaba great and unexpected pleasure, they are free from honeycomb, and present to the eye a surface of the most beautiful smoothness and polish. The cannon are made from the celebrated Sterling pig iron, long known as of distinguished strength. After full proof by major Dalaba of all the cannon, Mr. Townsend signified to the major, a wish that he would break one of the 18 pounders, if powder and ball could do it. Major Dalaba then ordered one of the eighteens to be charged with 18 pounds of powder, a large cakum wad, which filled the gun to the centre of the trunyons, two eighteen pound balls were added and a large hard wad, all driven hard and home, a match was then applied, and no other effect produced than a violent report and a great recoil!

"Mr. Townsend in the course of conversation observed, that he intended shortly to make some light 12 pounders of iron for field service, of which the weight will be less than the French, English, or American brass guns of the same calibre."

The lieutenants who assisted in the examination and proof, received a military education at West Point. They pointed the guns, and in 150 discharges never once missed the objects they aimed at—which were, first, empty *barrels*, 2d, a *joist*, and 3d, a *crow bar*. A perfection hardly to have been expected. The distance 150 yards.

The Public Lands.

LETTER II

CHILLICOTHE, AUGUST 4th, 1817.

DEAR SIR—An unusual press of business has hitherto prevented me from continuing the series of letters, concerning "the western country," which was commenced in the No. of your "Weekly Register" for the 12th of April last—(see vol. 12, p. 97.) And it is partly by way of relaxation from more arduous employment, that I *now* take up my pen to give you, as promised in my last, "some account of the several *systems* of the public surveys, and of the land offices established for the sale of public lands in the states of Ohio and Indiana, and the territories of Michigan, Illinois and Missouri."

The first body of public lands which was surveyed, is that which is now called "the Old Seven Ranges," lying in the eastern part of this state. This *system* of surveys was made in pursuance of an ordinance of congress of 20th May 1785. It commences on the N. W. side of the Ohio river, where the western line of the state of Pennsylvania crosses it; and is bounded on the north by a line run due west from that point to the distance of forty two miles; on the west by a line drawn thence due south to the Ohio river; and on the south and east by the Ohio river. This tract is laid off into seven ranges of townships, which ranges are run parallel with the aforesaid said state line, and are designated by numbers, progressively, westward from it. The townships are numbered, progressively likewise, from south to north, commencing with the first fractional township on the Ohio. In all the townships in the old seven ranges, the sections are numbered northwardly in successive tiers, commencing at the S E. corner of the township, as in the following example:—

36	30	24	18	12	6
35	29	23	17	11	5
34	28	22	16	10	4
33	27	21	15	9	3
32	26	20	14	8	2
31	25	19	13	7	1

The next system of surveys, in order, is the "United States military tract." It is situated westward of the seven ranges, and is bounded as follows.—Beginning at the N. W corner of the seven ranges of townships, and running thence fifty miles, due south, along the western boundary of said ranges; thence due west to the main branch of the Scioto ri-

ver; thence up the main branch of the said river, to the place where the Indian boundary crosses the same; thence along the said boundary line to the Tuscarawas branch of the Muskingum river, at the crossing place above fort Lawrence; thence up said river to the point where a line run due west from the place of beginning will intersect said river; thence along the line so run to the place of beginning. This tract was appropriated by act of congress, passed 1st June 1796, for satisfying land warrants granted for military services in the United States army. It was laid off and surveyed into townships of five miles square, and located by the holders of warrants, agreeably to the rule prescribed by the law. The ranges in this district are designated by progressive numbers from the eastern boundary, westward; and the townships are numbered in like manner, from the southern boundary towards the north. In pursuance of the act of congress of the 1st of March, 1800, the secretary of the treasury designated, by lot, fifty quarter-townships of the land remaining unlocated, together with the unlocated fractional quarter townships, to be "reserved for satisfying warrants granted to individuals for their military services." Those quarter townships and fractional quarters, have been subdivided into lots of one hundred acres each, the greater part of which have been located. The remainder of the lands in this district have been surveyed into sections of 640 acres, and offered for sale as other public lands are. Each township, therefore, contains only 25 sections, which are thus numbered:—

5	4	3	2	1
6	7	8	9	10
15	14	13	12	11
16	17	18	19	20
25	24	23	22	21

The lands lying west of the old seven ranges, east of the Scioto, and south of the military tract, have been surveyed into ranges and townships in the manner in which the seven ranges have been; the ranges being numbered westward in continuation thereof, and the townships northward from the Ohio.—The sections, however, are numbered on the plan now pursued; an example of which was given in my last letter.* The surveys have been continued in like manner through the lands lying north of the old seven ranges, and the military tract, to the southern line of the "Connecticut Western Reservation," on the 41st degree of north latitude.

Proceeding westward, the *third* system of public surveys, is the tract lying between the Great and Little Miami rivers. This tract was surveyed shortly after the "seven ranges," and partakes of its errors in an accumulated degree. The ranges, contrary to all other public surveys, are run east and west, and are designated by numbers progressively northward from the Ohio river to the Indian boundary. The townships are numbered eastwardly from the Great to the Little Miami river. The sections are numbered in the same manner that they are in the "old seven ranges."

The *fourth* system of surveys in order, is that which lies between the Great Miami river, on the east, and the old Indian boundary line, running from the mouth of Kentucky river to Fort Recovery, on the west. For the survey of this district, the state line between Ohio and Indiana, which is run due north from the mouth of the Great Miami river, is constituted the "*first principal meridian;*" and the ranges are run parallel with, and numbered from it, eastwardly to the Great Miami, and westwardly to the Indian boundary line. The old plan of numbering the townships northwardly from the Ohio, or southern boundary, is continued in this district also. The sections are numbered in the manner at present pursued, and described in the letter before refered to.

When the old "Vincennes tract," (so called) in the state of Indiana, was about to be surveyed, it became necessary to change the mode of numbering the ranges and townships, because the tract lay in the interior of the territory, unconnected with any other public lands; and had no natural or permanent boundary from which the surveys could commence; and because (anticipating the acquisition and survey of the Indian lands separating this tract from prior cessions) it would have been impracticable to pursue the old plan without carrying into those subsequent surveys a confusion and perplexity, which it was very prudent and desirable to avoid. A plan of survey was therefore devised by that valuable officer, colonel *Mansfield*, the then surveyor-general of the U. S. which not only avoided this perplexity and confusion, but remedied the defects of the old system, which experience and reflection had pointed out to be considerable. This plan is the same that is described in my last (see Weekly Register vol. 12, page 97) and is the same that is pursued in all the public surveys since executed under the direction of the surveyor general. A standard line, designated as the "*Second* principal meridian," was run through the eastern end of the "Vincennes tract," which meridian being continued south, in the survey of subsequent cessions, struck the Ohio about three miles below the mouth of Little Blue river. "A *base-line*," at right angles from the meredian, has been run eastwardly to the western line of "Charles' Grant," and, passing the northeasterly line of said grant, it strikes the Ohio river about a mile above the most easterly corner thereof. Continued west from the same point on the meridian, the base line crosses the Wabash river about three miles above its junction with White river; and, crossing the fourteenth range west of the second principal meridian, passes into the next *system* of ranges and townships. From the second principal meridian, the ranges have been laid off parallel therewith, *eastwardly* to the old Indian boundary running from the mouth of Kentucky river to Fort Recovery, and to the state line of Ohio; and *westwardly* to the western line of the fourteenth range, west, and the Wabash river south of where it crosses said western line: the ranges are numbered eastward and westward from the principal meridian; and the townships are numbered northward and southward from the base-line. This extensive system embraces all the public lands in the state of Indiana, except the small strip lying east of the last mentioned Indian boundary line. It also embraces so much of the territory of Illinois as lies east of the western boundary of the fourteenth range west.

*See Weekly Reg. vol. 12, page 98.

The *sixth* system of public surveys, is that where in a standard line run north from the confluence of the Ohio and Mississippi rivers, is constituted the *third principal Meridian.*" The base-line belonging to the last described system, is continued through this, from the 14th range west of the 2nd principal meridian. The base line crosses the 3rd principal meridian at about 61 miles, and strikes the Mississippi at 121, about 8 or 10 miles below St. Louis, in Missouri Ter. and about 30 miles below the mouth of the Missouri river. In this system, the ranges and townships are numbered, progressively, from the meridian and the base line respectively, in the manner described in the last system; the 11th range east of the 3rd principal meridian is closed on the 14th west of the 2nd.

The *seventh* system is unconnected with any other, and was formed for the survey of the army bounty lands appropriated by congress in Illinois Ter. This system of surveys lies between the Mississippi and Illinois rivers, and commences at their junction; from which point a standard line has been run north, called the *fourth "principal meridian."* The course of the Illinois river at its junction with the Mississippi, is nearly east, the meridian therefore immediately crosses it, and continues on the same side to the end of 72 miles, when it recrosses to the western side. From this point, the base line is run west to the Mississippi, about 52 miles distant. About 2,500,000 acres have been surveyed in this district for military bounties.

The *eighth* system is for the survey of the public lands in the territory of the Missouri. A standard line, the *"fifth principal meridian,"* has been run north from the mouth of the Arkansas river, which meridian crosses the base line at 51 miles; the Missouri river at 318 miles, about 35 miles west of St. Louis, and strikes the Mississippi river a few miles above the mouth of the Illinois The base line is run west from the mouth of the St. Francis river, and crosses the meridian at about 27 miles; and strikes the Arkansas river at about 85 miles. Between the Arkansas and St. Francis rivers, there has been two million acres of army bounty lands appropriated and surveyed. One million and a half more, has, I believe, been surveyed in the vicinity of St. Louis, on both sides of the Missouri river. Through this extensive tract, the ranges and townships are designated by progressive numbers, from the above described principal meridian and base-line, respectively.

The *ninth*, and last system of public surveys which remains to be described, is that formed for the survey of the territory of Michigan. When the two millions of acres of army bounty lands, appropriated in this territory, was directed to be surveyed, it was intended to have it laid off adjoining the western boundary of the cession by the treaty of Detroit, of November 17th, 1807. With this view a standard line, called the "principal meridian for Michigan territory," was run north from Fort Defiance 114 miles; which meridian, so far as it goes, is also the western boundary of the cession aforesaid. At the distance of 73 miles on this line, a base-line was run east through the cession, which base-line passed eight miles north of Detroit, and at 77 miles from the meridian, terminated on the border of Lake St. Clair, seven miles above its outlet into Detroit river. The military district aforesaid was laid off in eight ranges, east of the principal meridian, and extending six townships on each side of the base line. But a considerable portion of the western part of the district proving to be unfit for cultivation, by reason of swamps and small lakes, government directed a suspension, and finally a relinquishment of the surveys; and, in lieu thereof, two million of acres were appropriated in the territories of Illinois and Missouri. All the lands lying between the military district and the eastern boundary of the territory, were subsequently directed to be surveyed, and is now nearly completed. This tract extends from near the mouth of the river Raisin, on Lake Erie, to the outlet of Lake Huron, bordering on the river and lake St. Clair, Detroit river and Lake Erie; and embraces a fine tract of country, containing nearly a million and a half acres. The surveyor-general expects to have the whole district completed in time to be brought into market during the ensuing autumn; and is now making every exertion for that purpose.

There are in the state of Ohio, two large tracts of land, to the soil of which the United States have no claim. *First*—The lands lying between the little Miami and the Scioto rivers, reserved by the state of Virginia for satisfying military land warrants, granted to the "Virginia troops on the continental establishment." *Second*—The "Connecticut western reservation," lying in the northeast quarter of the state, bounded on the south by a line drawn from the western line of the state of Pennsylvania, on the 41st degree of north latitude; and on the west by a line run northwardly, parallel with, and at a distance of 120 miles from the aforesaid state line. Those tracts have been surveyed and located conformably to laws and regulations adopted by the states, respectively, which claim them.

An account of the several land offices, which I proposed to give in this communication, would swell it to too great a length; I must, therefore, reserve that subject for my next.

Yours, &c. S. W.

Mr. H. NILES, *Editor of the Weekly Register.*

High blood—"legitimacy."

"During the troubles in the reign of Charles I. a country girl came to London, in search of a place as a *servant maid*, but not succeeding, she applied herself to carrying out beer from a brew-house, and was one of those called *tub women.* The brewer, observing a well looking girl in this low occupation, took her into his own family as a *servant*, and after a while married her; but he died while she was yet a young woman, and left a large fortune. The business of the brewery was dropped; and the young woman was recommended to Mr. Hyde, as a gentleman of skill in the law, to settle her husband's affairs. Hyde (who was afterwards the Earl of Clarendon) finding the widow's fortune very considerable, married her. Of this marriage there was no other issue than a daughter, who was afterwards the wife of James II. and mother of Mary and Anne, Queens of England."

Here, on the *sure* side, is the boasted blood of the "illustrious family of Brunswick;" crossed, however, by many, legally and illegally, since the "low-lived creature," a "tub woman," gave birth to queens of England, else it had depreciated to mere ideocity—which, indeed, it is not very far from, as it is.

Foreign Articles.

ENGLAND, &c.

The bill for further suspending the *habeas corpus* had passed the house of commons, and, no doubt, would be passed by the lords.

Wheat and other grain, and flour suffered a severe fall about the 23d of June, on the promising

prospects of a good harvest. Flour, at Liverpool, Jul 1, 70 to 73s. per bbl. and declining.

Money never was so plenty among the *monied* men in England as at this time. The floating wealth of the nation is in the hands of a very few speculators and others, and the increasing misery of the people adds to their stock.

The floating debt, or exchequer bills [treasury notes] of England, amounts to 52,897,200*l* upwards of two hundred and thirty four millions of dollars. Another issue of 12 millions of pounds, more, must be made to meet the current or actual expences of the present year. This debt, is not noticed in the "budget." In the "hands-full of millions" it is no importance!—Nor does the budget say any thing of the interest of the public debt, which is, or is to be, otherwise provided for.

From the late finance report it appears, that the British government have on hand the following amount of gunpowder and small arms:

Gunpowder,	*bbls.* 294,000	cost	£1,470,000
Muskets,	818,000		1,757,800
Rifles,	4,000		10,500
Carbines,	36,000		64,000
Total gunpowder and small arms,			£3,302,300

From the twenty third to the twenty sixth June, the mean temperature in London and Westminster, had been 83 and 84 in the shade, and from 108 to 110 in exposed situations. The intense heat had been fatal in an unprecedented degree to that useful animal, the horse. Not less than twelve fine machine horses dropped between Hyde Park and Hounslow.

Gen. Thornton, in the British house of commons, asked leave to bring in a bill to abolish the disgraceful practice of publicly whipping women as a punishment. *The proposition was received with reiterated bursts of laughter*, and he had some difficulty to get his motion seconded. "The English are a flogged nation," says Cobbett.

The wretched and nearly naked populace of Dublin have raised several riots, requiring the aid of the military. The poor people seized loads of potatoes in the streets and devoured them raw!—Among the most active in reducing them to order, we observe the name of the supremely infamous major *Sirr*, who with the guard of lancers gallantly charged the miserable rabble, while they were eating their spoils! "Tranquility" had been restored.

The people of Dublin were ordered by the mayor to remain in their respective houses from 9 o'clock at night until six in the morning, by proclamation.

The state of Ireland is very alarming. "From the north to the south or the west," says the Dublin Evening Post, "and at home, there is not a single county in which disturbances have not occurred; but they are serious, indeed, in Munster, Kerry, Clare, Waterford, Cork, but above all, Limerick, have been the scenes of tumult and outrage, such as were never before experienced in those districts."

Three British frigates were about to sail for South America to strengthen the force on that station.

Real tragedy. A late London paper says—Last night, while the tragedy of Jane Shore was performing at our theatre, the part of Dumont by Mr. Cummins, the highly respectable veteran had just repeated the benedictory words,

"Be witness for me, ye celestial hosts,
"Such mercy, and such pardon, as my soul
"Accords to thee, and begs of heaven, to shew thee;
"May such befal me at my latest hour,"—

when he fell down on the stage, and instantly expired.

An incident similar to this occurred to an actor named *Palmer* some years ago. He was performing in the "Stranger"—His own domestic circumstances so closely resembled those of the character he was sustaining, that when he had, with exquisite feeling, repeated the exclamation,

"O God! there is another and a better world!"

His sensibility was overpowered; he fell on the stage and expired in sight of the audience.

HOUSE OF COMMONS—JUNE 20.

The *Budget.*—The chancellor of the exchequer moved the order of the day for the house resolving itself into a committee of ways and means.

Mr. Tierney suggested the propriety of postponing the committee at that late hour.

The chancellor of the exchequer observed that after the statement of the income and expenditure of the country had been fixed for that night, it would be necessary, in order to prevent the circulation of unfounded rumors, that the house should go into a committee.—The house then resolved itself into a committee.—The chancellor of the exchequer was sorry that it was necessary, at so late an hour to bring the subject before the house, but indulged the hope that no material measure he had to propose to the committee would meet with opposition. The house would also come better prepared for the discussion than upon similar occasions by means of the different reports of the committee of finance. These reports would spare him much labor, as to them he intended to refer; and more attention would probably be paid to printed documents of that nature than to any necessary hurried statements that he might make. His labor would be also much diminished by the consolidation of the revenues of Great Britain and Ireland. Much labor had been employed to reconcile the accounts of the two countries, as would appear afterwards. It had been so arranged in virtue of the consolidation of the English and Irish exchequers, that from the 5th of last January they started with a new consolidated account of the revenue of the united kingdom. In one part of the revenue only, there was to be regretted a deficit of 20 per cent. but this could not be wondered at in an agricultural country like Ireland at the conclusion of a war which had impoverished its natural resources. Notwithstanding these painful circumstances, the house would be gratified in hearing, that the means by which the current demands of the year were to be met, were neither burthensome nor objectionable. The supplies of the year were estimated as follows:

SUPPLIES.

Army (including £1,500,000, for extraordinaries, and exclusive of troops in France)		£9,030,000
Navy (exclusive of grant for the reduction of navy debt)		6,000,000
Ordnance		1,221,300
Miscellaneous		1,700,000
Total supply for the service of the year 1817		18,001,300
Interest on exchequer bills	£1,900,000	
Sinking fund on ditto	330,000	
To make good the permanent charges of Ireland to January 8, 1817	246,508	
Towards reduction of navy and transport debt,	1,660,000	
		4,136,508
		22,137,808

Such was the total amount of that establishment he had to propose. He could not call it a *peace establishment*, for the period had not arrived at which we could be said to enjoy the benefits of a profound and real peace—(Hear, hear!)—The house would recollect that at the opening of the session he had estimated the expenditure at £18,300,000, which fell £300.000 short. The unfounded debt was £1,990,000 and there were thirty three millions of unprovided expenditure. This expenditure he proposed to meet in the following manner—

WAYS AND MEANS.

Annual-duties			£13,000,000
Disposal	1815	15,749	
Ways and means	1816	1,819,810	
			1,865,559
Excise duties, after satisfying grant thereon for the year 1816			1,300,000
Money remaining at the disposal of parliament of the consolidated fund, at April 5, 1817,			1,225,978
Lottery			250,000
Old stores			400,000
Arrears of property tax received or to be received between the 5th of April, 1817, and April, 1818,			1,500,000
			9,511,537
Irish treasury bills		3,600,000	
Exchequer bills		9,000,000	
			12,600,000
			22,141,537

Before Easter, no less than £4,200,000, had been applied to equalize the bank of Ireland, which still insisted on an interest of five per cent; but as the Irish exchequer bills would not become due till January next, it was the intention of government to remedy this evil. He had no doubt at the same time, that the bank of England would reduce their interest as the bills became due. There still remained £9,000,000 to be provided for, which he proposed to do by exchequer bills—a mode which every circumstance had convinced him was most beneficial to the public. He has tried to reduce the exchequer bills, and had succeeded in reducing it to the amount of three hundred thousand pounds a year without the least difficulty. From the 24th of February he had disposed of twenty-seven million pounds sterling of exchequer bills, and more than eight months remained for the disposal of the other 24 millions. It was upon these considerations that he recommended the measure with the greatest confidence as one not likely to reduce the credit of the country, and which, in point of fact, would not produce the least inconvenience. Without now going to the extent of what might be offered to the house, it was no slight satisfaction for them to reflect that the public securities had improved to the amount of 20 per cent. on the whole capital of the country. Exchequer bills, which were lately at 4 3-4 and 5 1-4 per cent. were now reduced to 3 3-4 per cent. interest, with 12 shillings premium. This improvement of the state of public credit shewed that the resources of the country were reviving.

There was another topic to which he was anxious to call the attention of the house, and this was the resumption of cash payments by the bank. When he recollected how he had been mocked and twitted on this subject not longer than two years ago, and he believed the house had not forgotten it—(Laughs)—he had some reason to pride himself on what had now taken place. The difficulty in fact was to prevail on the public to take guineas, though the bank was ready to supply them.—(Laughs) That resumption had, however, been carried to a consolatory extent, and he hoped, would be completed by July, 1818. So far as this resumption had gone, it had been accomplished without giving the least shock to public credit. (Cries of Hear!)—so that the value of our paper and our specie were alike unimpaired. As to the public debt, their committee had not reported with regard to it; but, notwithstanding the failure of his own anticipations, this also had been reduced 400,000l. beyond what was promised.—Nor was this the only satisfactory circumstance connected with the public revenue: for since the 1st day of October, 1816, £32,000,000 of capital stock had been paid off in the market.—These sums were taken out of the stock market, so that every day diminished their amount, and, in all probability, the sum so redeemed would amount to £20,000,000, by the time of next year's budget He felt not only sanguine, but confident as to the progressive improvement of the revenue, though he could not, under all circumstances, pretend to predict the exact period when such an improvement might be expected—(Laugh.)—This amelioration was connected with that of the continent, who suffered more than we possibly could. We had a share of calamity, though a small share, while the continental countries were struggling for subsistence, and therefore could not benefit us. Should it please Divine Providence to bless the nations with a plentiful harvest, and the people were grateful for it, then he had no doubt there would arise fresh demands for our articles, commerce would be increased, and the resources of the country soon be replenished. It was no slight satisfaction to him that he had to congratulate the house on the improvement of public credit, the resumption of cash payments, and the reduction of the national debt. He trusted that he should hear no further of those dangerous remedies for public difficulties which had been suggested in that house; that no proposition would be made to reduce the interest of the national debt, or commit a breach of public faith. (Repeated cheering).—He should have no occasion to resort to parliament for the interest on the new exchequer bills, and he felt full confidence in the state of the country.

At the suggestion of Mr. Tierney, and after some conversation, the chancellor of the exchequer consented to put off the report of the committee till Tuesday next.

The several resolutions were then put and agreed to, and the report ordered to be received on Tuesday next.

Adjourned at twelve o'clock.

Ad captandum—In consequence of the retrenchment in the expences of the prince regent, a quantity of Madeira wine had been sent out to Kingston (Jam.) in the ship Globe, and was to be sold for the prince's benefit.

FRANCE.

The withdrawal of a second fifth of the "army of occupation" is spoken of. A Russian fleet of 8 sail of the line, 1 frigate and a brig has arrived at Calais for the purpose of carrying off 10,000 troops.

The famous count *Lavalette* is reported to have arrived at New York, during the last week.

The French frigate Eurydice has arrived at New York, from Martinique, on a visit. She has for some time been stationed in the West Indies.

The bishop of Orleans, and forty Catholic priests, were to sail from France in a frigate, the end of June, for the Mississippi.

THE BONAPARTES.

The following queer article is copied from a London paper of the 26th of June—

"The Dutch Mail of yesterday supplies the following account of the ex-king of Spain's colony in the United States:—"Joseph Bonaparte is building a town near Baltimore, which none but French are permitted to inhabit. It is capable of containing for the present 12,000 inhabitants. The art of the most sublime architecture is employed to embellish the edifices. Thus it should seem, that the French refugees renounce the hope of ever returning to the continent of Europe, since they spend their whole fortunes in fixing themselves in so magnificent a manner in America."

Joseph Bonaparte is so quiet and inoffensive, and really so unimportant a character in the United States, that not one in a thousand of the people troubles himself with thinking whether he is here or not. I do not certainly know where he resides; but believe it is somewhere in New-Jersey—and the last account I had of him was that he was cultivating cabbages and potatoes, in elegant retirement, much respected by the neighboring people, for his mild and friendly qualities. But as to the "town," we never before heard of it.

Since the above was written, we see it stated that Mr. Bonaparte lives at a place called *Point Breeze*, on the Delaware, near Bordentown, N. J.—a beautiful farm, which he has expended much money to improve. It is said he intends to take up his winter's residence in Philadelphia.

SPAIN.

The late destruction of the naval arsenal near Cadiz, is imputed to design to prevent the fitting out of vessels against the patriots. It is a severe loss to Spain.

It is stated that the *secret* reason for permitting the importation of negroes into Cuba, is to secure its allegiance, by alarming the people for their own safety!

ITALY.

It is mentioned that the Confederates, upon the solicitation of England, have determined to deprive the young Napoleon of his mother's principality in Lombardy, and to bestow it, upon the death of Maria Louisa, upon Spain.

Naples, June, 2.—Important explanations are said to be passing between this court and the cabinet of Petersburg, supposed to relate to the differences between the United States and us.

We are sorry to learn that several vessels have been met with abandoned at sea, in consequence of the attacks of the Barbary pirates, who are more audacious than ever.

GERMANY, &c.

So great are the oppressions of the middling classes, and so severe the privations of the poor, that it would seem as if half the population of some of the German states, and Switzerland, would cast itself on the shores of the United States, if it could. Many who appeared in easy circumstances, were preparing to embark. The passage of emigrants for the United States is refused through the Prussian dominions unless they are furnished with passports, which are granted only on certain conditions.

The entertainment given by the Portuguese ambassador at Vienna on the occasion of the late marriage, cost a million of florins—upwards of 360,000 dollars.

NETHERLANDS.

The scarcity of bread is assigned as the cause of some very alarming riots at *Bruges*, &c. The people cried, "*Bread—non exportation of grain no king*". But the military quieted them.

RUSSIA.

From a Russian history, published a few years since:

St. Petersburg, June 4th—In the matricular book of the inhabitants of the county called Trooiska, remitted this year, (1782,) into the chancery of the town of Moskowa, there is made mention of a peasant, named Pheador Vacilitz, (Theodore Baslides,) 75 years old, who was married but twice, and has a very numerous family. His first wife lay in 27 times; she was brought forth of four children at a time, at four births; of three at a time at seven births; and of twins at 16 births; so that in all she brought forth 69 children. His second wife gave light to 18 children in eight deliverances, to two in six, and to three in two deliveries, so that in 35 labors of his two wives, that peasant became the father of 87 children, of whom 73 are now living."

The Paris papers record a noble act of the emperor of Russia:—A German clergyman at St. Petersburg had procured a subscription of 3000 roubles for the distressed inhabitants of the Swiss Canton of Glaris, whose wretchedness is extreme. The list of subscribers being shown to the emperor, he enrolled himself among them for the sum of 100,000 roubles; inscribing his name with his own hand, as, if to show the cordiality of the deed, and ordering that the money should be paid immediately. This contribution is from his own purse; there is no fund in Russia, out of which it can be paid, without effecting him.

FLORIDA.

Our latest accounts from MacGregor, at *Amelia*, are vague and unimportant. It is stated that his admiralty judge has already left him. The expedition will probably soon have an end, and amount to nothing. But the reports are so various that we know not what to believe. The battle said to have taken place at Amelia was a mere exercise of the troops.

"SPANISH" AMERICA.

It appears certain that the royalists have captured Margaretta. The people fought them like lions, and the design seems to be to *exterminate* all the inhabitants of the island. Many have been put to death.

Guayara is said to be entirely relieved of the royalists by a late victory of Merina over Morillo, in which the latter suffered a complete defeat, &c.

The sovereign congress of the United Provinces, of La Plata met on the 12th of May. In this body are said to be some men of distinguished talents, and much good is expected of them. The Buenos Ayreans are still skirmishing with the royalists of Peru, yet unconquered. Four very richly laden Spanish vessels have been captured by the patriots at Valparaiso. Several stout and well fitted ships were about to sail from Buenos Ayres to cruize in the Atlantic and Pacific oceans.

The following summary, from the Boston Daily Advertiser, being the principal contents of Buenos Ayres papers received there, as late as the 24th of May, is useful to shew the general state of things in this quarter of the world—

Auxiliary army of Peru—Bulletin No. 19, dated at the H. Q. in Freeman, April 9, gives an account of operations from March 20, to the date. The royalists in Jujui remained closely besieged. Their troops dare not set a foot beyond their entrenchments, their communications with the interior are so insecure that strong convoys are necessary.—They lose men, arms, and beasts every day. On the

29th of March there arrived at H. Q. 142 deserters and prisoners, and to-day 31, besides 81 on their way. March 25, the royalists entered the town of Oran, where they plundered houses and churches, and lost 80 men and 60 horses. By the different parties of guerrillas 36 men have been killed and more than 300 animals taken Parties under lieut. col. Torre, commandants Gorritti and Corte, and majors Saravia, Zerda, Maurin and others carry on hostilities with great firmness and success, and not a day passes but they kill some, and bring in deserters and prisoners.

Bulletin No. 20, is dated April 30, and gives a narrative of operations from the 10th to the date. On the 15th the royalist gen *Serna*, by a rapid and bold movement took possession of the town of *Salta*. His army however has been constantly harassed by the parties under the different partizan chiefs, and sustained constant losses.

Bulletin No. 21, dated May 1, gives an account of the capture of the town of Farija, by a party of the republican troops under col. Madrid, in which he took 264 prisoners, 400 muskets and a considerable quantity of munitions of war.

A subsequent paper contains a despatch from Manuel Belgrano, general of the auxiliary army of Peru, dated at Tucuman, May 3, which states that the enemy have not derived the advantage which they expected from the possession of Salta; that they have carried on hostilities with grea activity and fury, sacrificing their men, and that they lose many by desertion. This despatch is accompanied by a number of letters from Don *Martin Guemes*, governor and commandant of the province of Salta. In one of these he estimates the enemy's force which entered Salta at 2,500 men, and those remaining at Jujui at 600, besides 4 or 500 employed in conveying baggage &c. He gives the details of numerous trifling advantages gained by him, but it is apparent that on the whole, the army of Peru had for the last month been rather losing than gaining ground.

In Chili, the royalist power seems to be less formidable. On the 4th of April a party of 6 or 700 royalists attacked the republican advanced posts at Carapaligue, but were repulsed with the loss of 10 men killed and 10 made prisoners and deserters.—The republican loss was 4 killed and 7 wounded On the 22d of April, brig. gen. Seignior Don Bernado O'Higgins, had left col. Don Hilarion de la Quintana in command of St. Jago, and proceeded as far as Talca, with 800 men to drive out the remainder of the royalists from the province of Conception.

April 14.—San Martin, captain general of the army of the Andes, who was then at Buenos Ayres, addressed to the supreme director of state, a letter giving a particular notice of the officers who distinguished themselves in the great battle of Charabuco, on the 12th of February.

April 15.—An order was issued by Pueyrredon, the supreme director of state, conferring certain honors on San Martin, "to whose indefatigable zeal and military skill the country owes the greater part of the glory of that day," and on the officers and men of the army.

The Gazette of April 26, contains a list of about eighty distinguished citizens of Chili who had been confined as prisoners at the Island of Juan Fernandez, but who, in consequence of the late successes of the republicans, had been released and restored to their friends.

Other accounts.—The patriots were aiming at *Potosi*—but do not appear to have reached it.

The passage of San Martin's army over the Andes was a great undertaking—300 men were employed to clear the road of the drifts of snow. This general appears to be not only a very brave and able commander, but also an honest man and a sincere patriot, as well as generous and humane.

A detachment of 500 Portuguese, from Monte Video, in search of provisions, were attacked by one of Artigas' parties and put to the sword. Artigas was on the heights commanding Monte Video.

One of the first measures of the Chilian patriot government was to send away the bishop and clergy, who had meddled in the affairs of the country.—*Well done.*

Troops were collecting at Chili, and contracts for ships made, for an expedition against Lima. Prisoners were brought into Buenos Ayres daily from Lima, who principally entered into the patriot service.

A Portuguese frigate has lately captured an Independent ship of 20 guns, off Oporto, after a severe battle.

Domestic Manufactures.

American society for the encouragement of domestic Manufactures.

It will be recollected that on the 13th of June last, the American society for the encouragement of domestic manufactures in New York unanimously elected JOHN ADAMS, THOMAS JEFFERSON, and JAMES MADISON, members thereof, and directed their secretary to apprize them of the circumstance by letter. The following is a copy of the secretary's letter, and the answers thereto—

New-York 14th June, 1817.

SIR—The American society for the encouragement of domestic manufactures, instituted in this city, sensible of the zeal you have uniformly displayed, in the promotion of every object, connected with the welfare and independence of our country, had the honor to elect you a member at their last meeting, convened on the 13th inst. for the purpose of initiating into the society, James Monroe, president of the United States.

It would afford me the highest gratification to announce to the society, your assent to become one of its members.

I have honor to be, sir,
With respect and consideration,
Your obed't servt.

D. LYNCH, Junr.

Quincey, June 23, 1817.

SIR—I have received the letter you did me the honor of writing to me on the 14th of this month, announcing to me my election by the American society for the encouragement of domestic manufactures instituted in New-York, as a member—an honor made more illustrious by the presence of the president of the United States.

Be pleased, sir, to present my respects to the society and my thanks for the honor they have done me—and to assure them if the best wishes of a man at 81 years of age can promote the wise purposes of their institution, I shall be a useful member—For, according to my superficial view of political economy in civilized society, next to agriculture, which is the first and most splendid, manufactures are the second, and navigation the third. With agriculture, manufactures and navigation, all the commerce which can be necessary or useful to the happiness of a nation will be secured.

Accept my thanks for the civility with which you

have communicated the vote of the society to their and your friend,

JOHN ADAMS.

D. Lynch, jun. esq. secretary of the American society for the encouragement of domestic manufactures.

Monticello June 26, 1817.

SIR—I am thankful for the honor done me by an association with the American society for the encouragement of domestic manufactures, instituted in New-York.—The history of the last 20 years has been a sufficient lesson for us all to depend for necessaries on ourselves alone: and I hope that 20 years more will place the American hemisphere under a system of its own essentially peaceable and industrious, and not needing to extract its comforts out of the eternal fires raging in the old world—The efforts of the members of your institution being necessarily engaged in their respective vicinages, I consider myself, by their choice, as but a link of union between the promoters there and here of the same patriotic objects. Praying you to present to the society my just acknowledgment for this mark of attention, I tender to yourself the assurance of my great respect and consideration.

THOMAS JEFFERSON.

Mr. Lynch.

Montpelier, June 27, 1817.

SIR—I have received your letter of the 18th inst. informing me that the American society for the encouragement of domestic manufactures, have been pleased to elect me one of its members.

Although I approve the policy of leaving to the sagacity of individuals, and to the impulse of private interest, the application of industry and capital, I am equally persuaded that in this as in other cases there are exceptions to the general rule which do not impair the principle of it.—Among these exceptions is the policy of encouraging domestic manufactures, within certain limits, and in reference to certain articles.

Without entering into a detailed view of the subject, it may be remarked, that every prudent nation will wish to be independent of other nations, for the necessary articles of food, of raiment and of defence—and particular considerations applicable to the United States, seem to strengthen the motives to this independence.

Besides the articles falling under the above description, there may be others, for manufacturing which natural advantages exist, which require temporary interpositions of bringing them into regular and successful activity.

Where the fund of industry is acquired from abroad, and not withdrawn, nor withheld from other domestic employments, the case speaks for itself.

I will only add, that among the articles of consumption and use, the preference in many cases, is decided merely by fashion or habit. As far as equality, and still more, where a real superiority is found in the articles manufactured at home, all must be sensible, that it is politic and patriotic to encourage a preference of them as affording a more certain source of supply for every class, and a more certain market for the surplus products of the agricultural class.

With these sentiments, I beg you to make my acknowledgments for the mark of distinction conferred on me; and which I accept from respect for the society, and for its objects, rather than from any hope of being useful as a member. To yourself, I tender my friendly respects.

JAMES MADISON.

Anecdotes.

The following anecdotes are copied from the Philadelphia True American, for which they were communicated by a gentleman who was in England at the time of their occurrence:

At an annual meeting of a bible society in England, during the late war, the Rev. Dr. Romeyn was present, and with several speakers addressed the assembly. When Dr. R. informed the audience that he was an American, yet, notwithstanding the hostility between the two countries, felicitated himself that he could meet Englishmen, engaged in an interesting enterprize, with the affection of charity and christian love, he was hissed, and rudely interrupted, especially when he alluded to his native country.

Very recently the queen of England held a *levee*, when the foreign ministers and distinguished officers were received. From sixty to one hundred thousand people went up to witness the cavalcade, which was numerous and magnificent. The Russian, Spanish and other foreign ministers proceeded in most splendid carriages, attended by many outriders, &c. Thus far the procession was received by the populace without the manifestation of any other passion than that of curiosity. At length, however, Mr John Q. Adams, minister of the United States, arrived in a neat plain carriage, attended by one out rider, and one footman. At the moment he was discriminated in the line by the populace, twenty thousand hats flew into the air; and as many obstreperous voices greeted the distinguished American statesmen and negociator. After his carriage passed the procession advanced without notice from the populace, until the arrival of the princess Charlotte, who was received with loud cheers. So much for the war, and the treaty of Ghent.

Marshals of France.

FROM THE BOSTON CENTINEL.

Frequent errors are made in print and conversation on the subject of the *marshals of France*, whose deeds of arms for the last twenty-five years filled the world with astonishment and alarm; and whose names had become among all classes as familiar as those of household deities. To give some information, if not amusement, we have collected the following particulars respecting those renowned soldiers. We believe it is not generally known, that ALL this corps of *marshals* alive (save four only) are now in *France*: and that all of them (with, perhaps, the exception of two) are full in the confidence of Louis 18th; sustaining under him the highest offices:—And further, that he has no other marshals in his service, than those who were first created by Bonaparte.

The following are now in France and rank in the order in which they are enumerated:—

1. Marshal Victor, (duke of Belluno) military governor of the 16th division, president of the electoral college of the Loire and Cher, major-general of the king's house hold, Grand Cross of St. Louis, and one of the witnesses, for the army, of the marriage of the duke of Berri.

2. Jean Baptiste Jourdan, born in 1762, military governor of the 7th division.

3. Pierre Augereau, (duke of Castiglione) born in 1757—a peer of France, and governor of the 19th military division.

4. Edward Adolphus Cassimir Joseph Mortier, (duke of Treviso) born in 1768—military governor of the 16th division.

5. Louis-Nicholas Davoust, (prince of Eckmuhl,

and duke of Auerstadt) born 1776—Recognized as marshal of France, but has no command, and resides at Louviers.

6 Charles Oudinot, (duke of Reggio) born in 1765—A cousellor of state and privy counsellor, and major-general of the king's household; governor of the 2d military division; president of the department of the Meuse; Grand Cross of the order of St. Louis; commander of the grenadiers and chasseurs of the king's guard, and commandant of the national guards of Paris.

7. E. J. J. A. Macdonald, (duke of Tarentum) born in Ledan, in 1765—A privy counsellor and peer of France; major-general of the king's household; a military governor of a division; and Grand Cross of the order of St. Louis.

8. Augustus F. L. V. Marmont, (duke of Ragusa) born in 1774—a peer of France; major-general of the king's household, and Grand Cross of the order of St. Louis.

9. Louis-Gabriel Suchet, (duke of Albufera) born in 1769—He was one of Louis's peers, but having accepted a seat in Bonaparte's house, he was *unpeered* in 1816; but has since been appointed military governor of the 9th division.

10. Marshal Gouvion St. Cyr, secretary of state for the marine and colonies, a peer, and privy counsellor; a military governor, and Grand Cross of the order of St. Louis.

11. Francis Charles Kellerman, (duke of Valmy) born in 1735, (the eldest of the marshals)—Was unpeered by Louis 18th in 1815; but appointed military governor of the 5th division; Grand Cordor of the royal legion of honor.

12. Joseph Lefevre, (duke of Dantzic) born in 1756—He too accepted a peerage from Bonaparte on his return from Elba; and was, therefore, expelled by Louis. He has no command.

13. Marshal count Perignon, a peer of France; governor of a military division, and Grand Cross of the order of St. Louis.

14. Marshal count Serrurier, governor of the royal hotel of invalids, and one of the peers of France

NOTE.

Of the balance *of the marshals, it is known, that Ney, Bertheir, Lasnes, Bessieres, Junot, and Massena, are deceased—Bernadotte is in Sweden; Soult, Grouchy, and Savary, in exile; Brune is in France, but not recognized as a marshal.*

French Museum.

Paris, April 20.—The museum of paintings and antiquities newly opened, has become again a great place of resort and enjoyment to the Parisians, as well as to strangers visiting the city. Master-peices of art, of the Italian, French, and Flemish schools, were scattered through different castles of the kingdom. They have now been collected and fill up with those left by the allies and others lately bought by the king from foreign princes, that wide chasm which was made by the allies, when they carried off so large a number of pieces of art, either to themselves or to the pope and Italian princes.

The Museum contains at present, if not quite the same value in master-peices as heretofore, at least the same number. Splendor proportioned to the taste of the exhibition in the majestic gallery of the Louvre, makes good the remainder. The number of paintings of all schools amounts to upwards of 1100—no great master's name is missing. There are 13 paintings of *Raphael*, 9 of *L. de Vinci*, 20 of *Titian*, 10 *of Corregio*, 6 of *Tintoret*, 10 of *P. Veronese*, 28 of the *Caraccis*, 6 of *Julio Romano*, 23 of *Guido*, 14 of *Dominichino*, 17 of *Albano*, &c. again 17 of *Vandyke*, 41 of *Rubens*, 15 of *Rembrandt*, 6 of *Holbein*, and many others by German masters, besides the whole addition of the French school itself, viz. the *Poussin's*, the *Lesnuir's*, the *Lebrun's*, the *Vernet's*, &c.—without this collection of paintings, the 16 saloons of antique statues, distinguish themselves by the brilliant display of 350 antique *statues, busts, bas reliefs, tombs* and *monuments* of antiquity This last collection was, as every one knows, the invaluable property of the prince of *Borghese*, purchased by *Bonaparte* for the very same *museum*, which always was and yet is its chief ornament; consisting of the *Gladiator*, *Jason*, the old *Matron*, several *Muses*, the *Centaur*, *Minerva*, *Hercules*, *Marsais*, *Hermaphrodite*, &c. But before the Italian master pieces were carried as a booty to Paris, France possessed in the royal palaces and garden celebrated pieces of antique statues; for example, the exquisite majestic statue of *Diana*, of Fountainbleau. And she now occupies the place where her divine brother *Apollo* of Belvidere formerly stood, and it is asserted that she was made by the same Grecian artist *Praxiteles*, and like him she attracts every eye the same way as he formerly did.

Our museum was, and after all is, the first museum of Europe. We shall have yet a considerable addition of statues and busts of kings, ministers, and sages, in what is to be called the "*Musee Francoise*," preserved for the last twenty four years by that name in the ancient monastry called the *Petit Augustines*, which objects were saved at the time of vandalism and devastation in France, out of the churches and abbeys, and brought thither, which very valuable and memorable collection, will occupy some more saloons of the museum.

A cancer cured.

From the Middlesex, (Mass.) Gazette.

Dracut, April 9.

SIR—Considering it a duty incumbent on each individual of society, to do all in his power to promote the health, prosperity and happiness of all his fellow citizens, I will state to you the commencement, progress and cure of a most distressing disease, which has occurred in my own family. If you think it worthy of a place in your paper, I have no objection to its being made public; and will afford me great consolation to learn, that the application which wrought the cure, has had the same efficacious operation upon others in similar circumstances.

About seven years since, my wife was seized with a cancer on her ankle, which increased with considerable rapidity, and was attended with pain; it continued sorely to affect her for nine months, during which time no pains were spared to obtain the best advice from those well versed in medicine and surgery. It was twice attempted to eradicate it by the application of vegetable caustics; and many other applications were unsuccessfully made. The limb became weak, and at times, much swollen. She had in a measure lost her appetite; and her whole system seemed on the decline. The sore was deep and broad. In this situation we commenced the application which produced the cure. The principal ingredient is an evergreen plant, which is to be found in all the northern states, in woodlands which produce a mixture of oak and pine timber. It is by different people called ever-bitter-sweet-winter-green rheumatism plant, &c.; the botanical name of

the plant is pyrola. We made a strong decoction, by boiling the pyrola in pure water, placed in a vessel containing considerable quantity of pulverized roll sulphur, and poured the decoction upon it, boiling hot. Mrs. Varnum took a small quantity of the decoction, internally, two or three times in a day; bathed the defective part and parts adjacent to it several times in a day, and kept a cloth wet with it constantly on the ankle. She took about an ounce of common medicinal salts, every second day: the decoction was renewed as occasion required. We commenced this system of operation about the middle of April, 1815, and pursued it with unremitting care and attention, without variation. In a very few days from the commencement of the operation, the patient began to realise the beneficial effects of it: her appetite was restored; her pain was gradually eradicated: she rapidly gained strength, both in body and limb; so that in less than six weeks the defective ankle was entirely healed and sound, and her health and strength completely restored. It is now almost two years since this apparent cure was effected; and we have the greatest consolation of learning from her, that she has not felt a single twinge of the disorder since that period, we do therefore confidently hope, it will never return.

Mrs. Varnum now enjoys remarkable good health for a person of her age. Some people may object to making a thorough experiment, in cases similar to Mrs. Varnum's, on account of the simplicity and novelty of the prescription.—But however simple and novel it may appear, and however inefficient it may prove with others, Mrs. Varnum and myself, with our family, have abundant reasons to rejoice and bless the *Supreme Arbiter of events*, for the wonderful effect which through the *beneficence of Divine Providence*, it has had in her case.—And I am sanguine in the belief, that if early and undeviating experiments of the kind be made, they will prove efficacious in most, if not all cancer cases.

I am sir, with respect, your obedient servant,

J. B. VARNUM.

FROM THE AURORA.

Mr. Duane.—As you have published general Varnum's account of the valuable properties of the *pyrola* in the cure of a cancer, you will probably have no objection to inform the public, that pyrola is a generic term, comprising several different species of plants, and that the species which he refers to, is the *pyrola umbellata*, known in Pennsylvania and Delaware, by the name of *phipsesawa*. It may be distinguished from the *pyrola maculata*, or spotted pyrola, by the leaves being uniformly green, and broadest near the extremity, while the leaves of the latter kind are variegated with whitish stripes, and are widest near the foot stock.

Having now in my posession a specimen of the plant which was given to me by general Varnum at Washington, I can vouch for the correctness of the above statement.

This noble plant, (called by the ancient natives, the king of plants) has also been found surprisingly efficacious in the radical cure of crofula.

AMICUS.

CHRONICLE.

The president of the United States embarked in the U. S. brig Jones, at Sackett's Harbor, on the 6th inst. for the head of the lake.

The president arrived at Fort Niagara on the 8th inst. which he inspected and reviewed the troops, &c. He went up the river as far as the Falls, and lodged with judge Porter. He reached Buffalo on the 9th, and, being received according to the arrangements made, embarked in the evening in the U. S. schooner Porcupine, lieut. Packett, for Detroit.

On Saturday last there were *seven* southern mails due at Washington city. So great a number in arrears were never known before. The interruption was caused by the late extensive hurricane.

Some American sailors at St. Croix had a fracas with a part of the crew of a Danish government brig, and, as their custom is, handled their opponents pretty roughly and came off conquerors. A second rencontre took place which was provoked by the Danes; on which the governor interfered, "and to quiet the clamors of the plaintiffs," ordered one of the Americans to receive *twenty five lashes*, which were inflicted upon him. The affair will hardly pass unnoticed, but as yet we have no official statement of its facts.

Naval.—A letter from an officer in the Mediterranean says, that the old "*War Queen*," (the frigate United States) having been completely repaired, is fitted to perform any service, and is one of the finest and fastest sailing ships in the world.

Lieut. Cunningham, in the U. S. schooner Firebrand, has returned to the Balize from Vera Cruz, where he was received very politely, and succeeded in his object; which was to bring home for trial a certain person charged with piracy and murder. Passing Barrataria, lieut. C. took possession of a small vessel, manned by 8 men, with a swivel and 25 muskets, supposed to have been fitted out for some piratical expedition.

The brig Mary, has arrived at New York from Jamaica, with 200,000 dollars in specie.

Died, at Charleston on the 6th inst. the rev. *Theodore Deshon*, protestant episcopal bishop of South Carolina. He was much beloved by his flock, and respected by the people of every denomination.

Died—recently at New York, after a lingering illness, Charlotte, the wife of capt. Joseph Bainbridge, of the U. S. navy, aged 27 years.

Kidnapping.—One of the kidnappers lately caught in New-York, has been sent for three years to the penitentiary. No fine was inflicted, because the negroes, set free by his conviction, had cost several thousand dollars.

The Delaware papers have a long account of a negro's selling his own mother, aged 60 years, to one of the knots of traders in human flesh that infest the lower parts of that state. The villain had been permitted to purchase her at a nominal price through charitable motives, with an understanding that she would be free. He got sixty dollars for her. The traders instantly made known the transaction to excite the interference of the humane, and modestly asked 200 dollars for the old woman, and would probably get it.

British consulate at New-Orleans, June 19.

DEAR SIR—I am desired by our minister at Washington, the hon. Mr. Bagot, to take the earliest opportunity of expressing his acknowledgments for your prompt interference in the case of the Hamilton, whereby the remainder of the crew of that vessel were rescued from imminent danger, and a large amount of British property from destruction.

I embrace this occasion to convey to you the assurance of the esteem and regard with which I have the honor to remain, dear sir, your most obedient servant,

JNO. DAVIDSON

The hon. E. W. Ripley, maj. gen. com. 8th dist.

American Wine—The *Indiana Register*, published at Vevay, informs us that the Vineyards in the vicinity of that place, have the brightest prospect of rewarding the labors of the vine dressers. The luscious fruit is in great perfection; and it is cultivated extensively by the Swiss settlers—whose numbers will probably be greatly increased by the late emigrations. It is pleasing to learn that these cultivators of the vine on the Ohio, find it a very profitable business.

But the following extract of a letter to the editor, from another point on the Ohio, is not encouraging.

"My vine is improving, and your bottle will certainly come by the first safe opportunity.

"Since the latter end of May, we have had rain almost every day, and our grapes (that weathered the frost) are rotting very fast. I still expected to save about 100 gallons, but the weather continues wet and seems to get worse and worse—I am afraid there will be none left—it appears as if the elements have conspired against us since we planted the vine;—or else the god Bacchus, unlike the king of Portugal, is determined not to transplant his empire from Europe to America."

FAST SAILING.—The ship Pacific reached the Irish coast from New York in 12½ days, at the rate of 216 miles per day, for an average.

Charleston.—From what we see in the public papers, there is reason to believe that a destructive fever is raging at Charleston. It seems chiefly to attack strangers; for whose relief the city corporation has appropriated $3000, as well as appointed a committee to receive the voluntary contributions of the people. A proposition is offered to remove all such to *Haddrell's Point*, where every provision will be made for their accommodation; the commander of the harbor having tendered the barracks for the purpose.

Frightful fish. There is a story in the Salem papers, and it seems *as if* it might be true, about a monstrous fish that has frequently shewed itself at Gloucester. It appears to be of the serpent kind, "like a string of gallon kegs, 100 feet long." Many people, with muskets, harpoons, &c. had went out to take it, but without effect. One man discharged a musket at its head, at the distance of only 30 feet. Its motions are exceedingly quick—its head is of the size of that of a horse, and white. We may expect particulars.

Compliment.—At the dinner in honor to Mr Adams, at New-York,* one of the guests, Mr. *Fearon*, of London, rose in his turn, and addressed the company as follows:

"As several gentlemen have volunteered songs, I would beg leave to offer a sentiment which I am sure will meet the hearty concurrence of all present; but previous to which I desire to express the high satisfaction which this day's entertainment has afforded me. Though a native of Great Britain, and but a few days in the United States, I am for the first time in my life in a free country, surrounded by free-men; and when I look at the inscription which decorates your Eagle, I rejoice that I have been destined to see this day. A great number of the enlightened portion of my countrymen advocate your cause—admire your principles. And though we have unfortunately been engaged in a war, I trust the result has taught wisdom to both parties.

"In your political institutions, you have set a noble example, which, if followed throughout the world, will rescue mankind from the dominion of those tyrants who jeer at the destruction which they produce—

"Like the moon beams on the blasted heath,
"Mocking its desolation."

Gentlemen, in conclusion, I beg to express the delight which I feel, and propose to you as a toast,

"May the United States be an example to the world; and may civil and religious liberty cover the earth as the waters do the channels of the deep."

METHODISTS IN THE UNITED STATES,

Extract from the minutes taken at the several annual conferences of the Methodist Episcopal church in the United States for the year 1817, showing the number of members in each conference.

Conferences.	*Members.*
Ohio,	22,178
Missouri	3,173
Tennessee,	18,101
Mississippi,	1,941
South Carolina,	39,172
Virginia,	23,152
Baltimore,	29,992
Philadelphia,	32,460
New-York,	21,042
New-England,	13,407
Gennessee,	17,935
Total	224,853
Total last year,	214.235
Inerease this year,	10,618

VAST MASSES OF NATIVE NORTH AMERICAN COPPER.

From the New-York Gazette

The native copper found around lake Superior, has been long a theme of conversation. On one occasion, a company was formed in England, with a large monied capital, to work the mines. On another, an agent was to have been sent there by order of congress, to explore for copper.

It appears by certain late intelligence received through Dr Francis Le Barron, apothecary general of the U. States, that a larger body of this virgin metal, perhaps than any in the world, is now lying in the bed of the Onatanagan river, a stream running into lake Superior, from the south. It is reported to measure, in girth, or circumference, twelve feet at one end, and fourteen feet at the other. As far as a judgment can be formed, the mass is compact throughout, and of singular purity.

The specimen which Dr. Le Barron gave to Dr. Mitchell, was accompanied by a curious Map of the Western half of lake Superior, drawn by a youth of the Chippewa tribe. On this are delineated the Onatanagan, and the place where the native copper exists; as are also all the memorable streams, bays, and islands, to the Ford du Lac, or bottom of the lake.

END OF THE TWELFTH VOLUME.

*The room in which the dinner was given was handsomely decorated. In the centre was an elegant circle of oak leaves, roses and flags, the whole representing with much effect our happy union, and from the centre of which, as from her native woods, appeared our eagle bearing in her beak this impressive scroll

"Columbia, great republic, thou art blest
"While empires droop and monarchs sink to rest."

Among the guests were governor Clinton and the mayor of New-York, &c. The company consisted of about 200 gentlemen of the greatest respectability.